**History of the American People, Vols. 1-5 - Woodrow Wilson**

Woodrow Wilson

History of the American People

Volume 1

Chapter 1:

Before the English Came

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WHEN the history of English settlement in America begins, the breathless, eager stir of the Elizabethan age is over, and the sober, contentious seventeenth century has come, with its perplexed politics, its schismatic creeds, its scheming rivalries in trade. An age of discovery and bold adventure has given place to an age of commerce and organization. More than one hundred years have elapsed since the discovery of North America. Spain has lost her great place in the politics of Europe, and France and England are pressing forward to take it. While parts changed and the stage was reset, the century through, the great continent lay "a veiled and virgin shore," inflaming desires that could not be gratified, stirring dreams that only enticed brave men to their death, exciting to enterprise and adventure, but never to substantial or lasting achievement. The same mistake that had led to its discovery had prevented its profitable occupation. Columbus had set out to seek, not a new continent, but old Cathay; and died believing that what he had found was in fact the eastern coasts of Asia. The explorers who followed him in the next century had persisted in seeking, as he had sought, not new, but old lands, rich with ancient kingdoms and fabled stores of treasure, lying ready to the hand of conqueror and buccaneer. Such ancient kingdoms Cortez and Pizarro actually found in South America and upon the Isthmus; and such every adventurer promised himself he should find just beyond the coasts of the northern continent also. Or else he should find something that would be quite as valuable, and possibly no less romantic,—a fountain of youth, untouched mines of precious ore, or waters floored with priceless pearls.

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The discovery of the New World had drawn Europe when she was most credulous into a realm of dreams. The Revival of Learning had come. Europe had read once more and with freshened eyes, as if for the first time, the frank sentences of the ancient classics, written when men looked heartily, fearlessly, artlessly about them, and her imagination had been quickened and enriched by what she read, her thoughts set free and rejuvenated. What she had seen also, as well as what she had read, had given her new life. For the Middle Ages were now passed, and she had herself become a new world. France had lost her feudal princes in the Hundred Years' War, and was at last a real kingdom under veritable kings, for Louis XI. had reigned. England had been transformed by the Wars of the Roses from a feudal into a national monarchy, and the first Tudor was on the throne. Spain had cast out the Moor, and was united under Christian sovereigns. Former geographical relations, too, had disappeared. The old Europe had had its heart and centre in the Mediterranean; but the capture of Constantinople by the Turk, and the establishment of the hostile Turkish power upon all the eastern coasts of the Mediterranean, now shut her out from the habitual courses of her life by cutting off direct intercourse with the East. She was forced to seek new routes for her commerce, a different life for her nations, new objects of policy, other aims of ambition.

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Having felt the keen early airs of the Renaissance, her powers were heartened and stimulated for the task, and she faced it with a glad spontaneity and energy. She was strangely filled with hope and with a romantic ardor for adventure, ready to see and to test every new thing. It was naturally her first thought to find her way again, by new routes, to India and the great East. Portuguese sailors, accordingly, sought and found their way around the southern capes of Africa; and Columbus, more bold and more believing still, pushed straight forth into the unknown Atlantic, that dread and mysterious "Sea of Darkness" which had lain so silent all the centuries, keeping its secrets. He would make directly for the shores of Asia and the kingdom of the Tartars.

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In the new delight of giving rein to their imaginations men were ready to believe anything. They could believe even Marco Polo, whom they had hitherto been inclined to deem an impudent impostor. In the latter half of the thirteenth century, Polo, accompanying his father and uncle, had journeyed overland to the farthest kingdoms of Asia, when the great Tartar empire of Kublai Khan stretched from Europe to the Chinese Sea. He had seen throughout nearly twenty years the full splendor of that stupendous realm, its rich provinces, its teeming and ancient cities, its abounding wealth and unexampled power. Some of its authority he had himself wielded; for he had been taken into the intimate counsels of the Great Khan, and had gone up and down his coasts upon weighty errands of state. But the men of his day at home would not credit what he had to tell them of the boundless extent and resplendent glory of lands which no one else among their neighbors had ever seen, or ever heard named even, save by this Venetian adventurer. Who could say what truth there was, or what falsehood, in these tales of the ends of Asia and of a great sea lying beyond? Polo's story slumbered accordingly, in curious manuscripts, or kept covert with the learned, until revived and brought to day again by the congenial air and the enticing credulity of the fifteenth century. In the view of that hopeful age nothing was impossible. These things and many more Columbus credited and pondered, as he pored upon crude and curious maps, sketched out of travellers' tales and astronomers' reckonings; and it was the very Cathay of Marco Polo he put across the new ocean to find.

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The success of Columbus solved the mystery of the Atlantic, but it did little to instruct Europe, or even to guide her fancy, concerning the real nature of the lands he had found. No one dreamed that they were the coasts of a new world. Who could believe the globe big enough to have held through all the ages a whole continent of which Christendom had never heard, nor even so much as had poetic vision,—unless, perchance, this were the fabled Atlantis? Slowly, very slowly, exploration brought the facts to light; but even then men were loath to receive the truth. When Vespucius brought home authentic charts of new coasts in the southwest, thrust far out into the Atlantic, so that even mariners who strayed from their course to the Cape under stress of storms from out the east might hit upon them, there was nothing for it but to deem this indeed a New World. No such Asian coasts had ever been heard of in that quarter of the globe. This southern world must, no doubt, lie between Africa and the kingdoms of China. But the northern continent had been found just where the Asian coasts were said to lie. It was passing hard to conceive it a mere wilderness, without civilization or any old order of settled life. Had Polo, after all, been so deep a liar? Men would not so cheat their imaginations and balk their hopes of adventure. Unable to shake off their first infatuation, they went wistfully on, searching for kingdoms, for wonders, for some native perfection, or else some store of accumulated bounty, until at last fancy was wholly baffled and rebuked by utmost discipline of total and disastrous failure. Not until a century had been wasted were confident adventurers sobered: the century of the Reformation and the Elizabethan literature. Then at last they accepted the task of winning America for what it was: a task of first settlement in a wilderness,—hard, unromantic, prodigious,—practicable only by strong-willed labor and dogged perseverance to the end.

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While North America waited, South America prodigally afforded the spirit of the age what it craved. There men actually found what they had deemed Asia to contain. Here was, in fact, treasure-trove. The sea filled with mighty Spanish armaments, commanded by masters of conquest like Cortez; and the quaint and cloistered civilization of the New World trembled and fell to pieces under the rude blows of the Spanish soldiers. Then the sea filled again, this time with galleons deepladen with the rich spoils of the romantic adventure. Whereupon daring English seamen like Hawkins and Drake turned buccaneers; and scant thought was given any longer to the forested wilds of North America. England and Spain faced each other on the seas. A few protestant sailors from the stout-hearted Devonshire ports undertook to make proud Spain smart for the iniquities wrought upon Englishmen by the Inquisition, while they lined their pockets, the while, out of Spanish bottoms. By the time the great Armada came, England had found her sea-legs. Spain recognized in the smartly handled craft which beat her clumsy galleons up the Channel the power that would some day drive her from the seas. Her hopes went to pieces with that proud fleet, before English skill and prowess and pitiless sea-weather. It had been a century of preparation, a century of vast schemes but half accomplished, of daring but not steadfast enterprise, of sudden sallies of audacious policy, but not of cautious plans or prudent forecasts. The New World in the north still waited to be used.

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And yet much had in fact been accomplished towards the future successful occupation of North America. Some part of the real character of the new continent stood sufficiently revealed. Early in the century

Balboa had crossed the Isthmus and

"Stared at the Pacific—and all his men

Looked at each other with a wild surmise—

Silent upon a peak in Darien."

Magellan had found his way to the south, round about the coasts of South America, into the new ocean; and before the middle of the century Spanish vessels had beat their adventurous way along almost the entire Pacific length of both continents. By the time Drake set out on his famous first voyage round the world in 1577, the Spaniards had already established a trade route across the Pacific to India and the Spice Islands.

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Their discoveries became very slowly known to the rest of the world; they had no mind to advertise what they found, and so invite rivalry. Each nation that coveted the new lands was left to find out for itself how they lay, with what coasts, upon what seas. It did at last become generally known, however, that America was no part of Asia, but itself a separate continent, backed by an ocean greater even than the Atlantic. What was still hidden was the enormous extent of the New World. It had been found narrow enough from ocean to ocean at the Isthmus; and the voyagers along its farther coasts had not been expert to mark the real spread and trend of its outlines. They imagined it of no great bulk. Throughout the century every explorer who sought to penetrate its interior from the Atlantic along any considerable watercourse confidently hoped to find, near the sources of the stream, similar passage down the western slopes of the continent to the great sea at the west. Adventurer after adventurer, moreover, pushed northward among the ice to find a northwest passage whereby to enter the Pacific

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All such mistakes only served to make the real character of the northern continent the more evident. Every discovery contributed to sober discoverers. That the interior was one vast wilderness, grown thick with tangled forests, blocked by mountains which stood old and untouched, or else stretching wide" through mighty plains and sandy heaths, smooth and wearisome, and bare of wood," with only "crook-backed oxen" for inhabitants, the Spaniards had abundantly discovered by many a costly adventure. In 1513, the year of Balboa's great discovery, and again in 1521, the gallant Ponce de Leon led an expedition into the beautiful peninsula which he named Florida, in search of a fabled spring whose waters, of "sweet savour and reflaire," it was said, "as it were of divers manner of spicery," would impart immortal youth to those who drank of them. But the wilderness baffled him, and he lost both his hope and his life in the enterprise.

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In 1528 Panfilo de Narvaez sought to take the land by storm, in true Spanish fashion, landing a force of three hundred men at Apalache Bay, with horses and trappings and stores, to march in quest of kingdoms and treasures. And march they did, thrusting their way through the forests and swamps very manfully towards the vast unknown interior of the continent. Their ships, meanwhile, they sent away, to bring still others to the enterprise, but with plans of rendezvous so vague and ill-conceived that they never beheld them again. After three fruitless months spent with keen suffering of want and disappointment in the wild forests, where there was neither kingdom nor treasure, they found themselves thrown back upon the coast again, dismayed, and in search of their craft. Finding that they must help themselves, they built such boats as they could, and tried to pick their way by sea to the westward. Caught in a rush of waters at the mouth of the Mississippi, two of their five boats were overwhelmed, and all who were in them were lost. The rest drifted on till cast ashore far to the west. Four men, and four only, of all the company survived to tell the story to the world. After a marvellous and pitiful pilgrimage of almost two thousand miles, full of every perilous and strange adventure, they actually reached the Spanish settlements on the Pacific, eight years after that gallant landing at Apalache.

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In 1539 Hernando de Soto repeated the folly. He brought to the Bay of Espiritu Santo nine vessels, with near six hundred men and more than two hundred horses. Leaving a small part of his force with the fleet, he set out with a great force for the interior of the continent. It was childish folly; but it was gallantly done, with all the audacity and hardness of purpose that distinguished Spanish conquest in that day. With contempt of danger, meting out bitter scorn and cruelty to every human foe, and facing even pitiless nature itself without blanching or turning back, proud and stubborn to the last through every tormenting trial of the desperate march, they forced their way onward to the great waters of the Mississippi. From the mouth of that river, in boats of their own construction, some three hundred survivors reached Spanish posts on the Gulf. But without their leader. De Soto had sickened and died as they beat up and down the wilderness which lay along the great stream of the Mississippi, whose inland courses he had discovered, and they had buried his body beneath its sluggish waters.

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Meanwhile a like expedition was wasting its strength in the wilds which stretched back from the Pacific. In 1540 Coronado, Spanish Governor of New Galicia, had led an army of three hundred Spaniards and eight hundred Indians northward from his Pacific province in search of seven fabled cities of "Cibola." These "cities" proved to be only humble pueblos such as those whose ruins still so curiously mark the river cliffs of Arizona and New Mexico. Having put out parties to explore the courses of the Colorado and the Rio Grande, only to find the stately canons of the one, at the west, and the spreading valley of the other, at the south, without the notable peoples and provinces he looked for, he himself pressed doggedly onward for weary hundreds of miles, eastward and northeastward, to the far Missouri, to find at last nothing but vast deserts, without a trace of population or any slightest promise of treasure. It was a hard lesson thoroughly learned, bitten in by sufferings which corroded like deadly acids.

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By such means was the real nature of the North American continent painfully disclosed, each maritime nation acting for itself. Spanish, English, and French seamen beat, time and again, up and down its coasts, viewing harbors, trying inlets, tracing the coast lines, carrying away rumors of the interior. The Spaniards explored and partially settled the coasts of the Gulf. In 1534-35 Jacques Cartier penetrated the St. Lawrence, in the name of his French master, as far as the present site of Montreal; and in 1541 planted a rude fort upon the heights of Quebec. In 1562-64 settlements of French Huguenots were effected in Florida, only to be destroyed, with savage ruthlessness, by the Spaniards, who in 1565 in their turn established St. Augustine, from which the French found it impossible permanently to dislodge them. In the opening years of the seventeenth century French colonies were planted on the St. Lawrence at Montreal and Quebec, and in Acadia, in the region which was afterwards to be known as Nova Scotia. English settlements also were attempted. All signs combined to indicate the coming in of a new age of organized enterprise, when, with one accord, the nations which coveted the virgin continent should cease to

"fly to India for gold,

Ransack the ocean for Orient pearl,

And search all corners of the new-found world

For pleasant fruits and princely delicates,"

and should compete, instead, to build communities and erect states over sea, and so possess themselves of a vast treasure of their own making.

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Ransack the ocean for Orient pearl,

And search all corners of the new-found world

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In the great enterprise of discovery and exploration Spain had held the first place throughout a century; but for the task of colonization the parts were to be differently cast. The century had witnessed many profound changes in European politics. In the year 1519 Charles V., King of Spain, Archduke of Austria, King of Naples and Sicily, heir of the House of Burgundy, and therefore lord of the Netherlands, had become also Emperor of Germany, and had begun to threaten all Europe with his greatness. But the vast circle of his realm had not held together. It was not a single power, but naturally diverse and disintegrate, and had speedily fallen asunder. In 1568 began that determined revolt of the Netherlands which was eventually to sap and destroy the Spanish power. By scattering her force too ambitiously, and staking her supremacy on too many issues, Spain began steadily to lose the great advantage she had held upon the continent. For England the end of Spain's power was marked by the destruction of the Armada, and the consequent dashing of all the ambitious schemes that had been put aboard the imposing fleet at Lisbon. There had meanwhile been reckonings between England and France also. Henry VIII. and Francis I. had kept restlessly at work to adjust the balance of European power to their own liking and advantage. Wars, brief and inconclusive, but ceaseless, swept Europe in every direction; and then radical changes set in, both national and international. In 1562 the great Huguenot civil wars broke out, to rage for more than twenty years; and France stained her annals with St. Bartholomew's day, 1572. In driving the Huguenots forth to England and America, she lost the flower of her industrial population. She thwarted her European enemies, nevertheless, and solidly compacted her national power. The German countries all the century through were torn and distracted by the struggle of the Reformation, and remained self-absorbed, forming the parties and defining the passions which were to bring upon them the terrible Thirty Years' War of the next century.

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When the new century opened, France and England alone stood ready to compete for North America. And, for all France was as keen to seek her interest in the New World as in the Old, the signal advantage, as the event abundantly proved, was to lie with England in this new rivalry in the wilderness. The reason is now plain enough. England had obtained from the sixteenth century just the training she needed for winning America in the seventeenth, while France had unfitted herself for the race by the new life she had learned. England had become a commercial nation, quickened in every seaport by a bold spirit of individual enterprise that would dare anything for a success. The Tudor monarchs had, it is true, established a political absolutism; but they had, nevertheless, somehow deeply stirred individual initiative in their subjects in the process. In France, meanwhile, individual initiative had been stamped out, and the authority of church and state consolidated, to command and control every undertaking. France sent official fleets to America and established government posts; while England licensed trading companies, and left the colonists, who went to America in their own interest, to serve that interest by succeeding in their own way. The French colonies pined under careful official nursing; the English colonies throve under "a wise and salutary neglect." A churchly and official race could not win America. The task called for hard-headed business sense, patient, practical sagacity, and men free to follow their own interest by their own means.

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The Reformation had performed a peculiar service—for England. It had filled her, not with intense religious feeling, but with intense national feeling. It meant that England had thrown off all slavish political connection with Rome, and was to be henceforth national in her church as well as in her politics. It meant, too, that she was to have less church than formerly. When Henry VIII. destroyed the monasteries and appropriated their means and revenues, he secularized the government of England, and in part English society too, almost at a stroke. The wealth of the church went to make new men rich who had won the favor of the crown, and a new nobility of wealth began to eclipse the old nobility of blood. Such a change met the spirit of the age half-way. The quickened curiosity and nimble thought of the Renaissance had no courteous care as to what it exposed or upset. The discovery of new lands, moreover, stimulated all sorts of trade and sea-traffic. A general movement to learn and acquire new things had begun among masses of comfortable people who had never cared to disturb their minds before. The literature of the "spacious times of great Elizabeth" was the spontaneous speaking out, with unexampled freedom of heart, with unmatched boldness of fancy and amplitude of power, of the finer spirits of a nation excited by every new prospect of thought and enterprise. Fortunately the Tudor monarchs were stingy how they helped their subjects with money, even to defend their wealth and commerce against the foreigner. Henry VIII. interested himself in improved methods of ship-building; and when he had time to think of it he encouraged instruction in seamanship and navigation; but he built no navy. He even left the English coasts without adequate police, and suffered his subjects to defend themselves as best they might against the pirates who infested the seas not only, but came once and again to cut vessels out of port in England's own waters. Many public ships, it is true, had been built before the Armada came, and fine craft they were; but they were not enough. There was no real navy in the modern sense. The fleet which chased the Spaniards up the Channel was a volunteer fleet. Merchants had learned to defend their own cargoes. They built fighting craft of their own to keep their coasts and harbors free of pirates, and to carry their goods over sea. They sought their fortunes as they pleased abroad, the crown annoying them with no inquiry to embarrass their search for Spanish treasure ships, or their trade in pirated linens and silks.

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It was this self-helping race of Englishmen that matched their wits against French official schemes in America. We may see the stuff they were made of in the Devonshire seamen who first attempted the permanent settlement of the new continent. For a time all that was most characteristic of adventurous and sea-loving England was centred in Devonshire. Devonshire lies in the midst of that group of counties in the southwest of England in which Saxon mastery did least to destroy or drive out the old Celtic population. There is, accordingly, a strong strain of Celtic blood among its people to this day; and the land suits with the strain. Its abrupt and broken headlands, its free heaths and ancient growths of forests, its pure and genial air, freshened on either hand by the breath of the sea, its bold and sunny coasts, mark it a place made by nature to indulge that sense of mystery and that ardor of imagination with which the Celt has enriched the sober Saxon mind. Next it lay Somersetshire, with its sea outlet at sturdy Bristol port, where trade boasted itself free from feudal masters, pointing to the ruined castle on the hill, and whence the Cabots had sailed, so close upon the heels of Columbus. For itself Devonshire had the great harbor and roads of Plymouth, and innumerable fishing ports, where a whole race of venturesome and hardy fishermen were nurtured. All the great sea names of the Elizabethan age belong to it. Drake, Hawkins, Ralegh, and the Gilberts were all Devonshire men; and it was from Plymouth that the fleet went out which beat the great Armada on its way to shipwreck in the north. The men who first undertook to colonize the New World for England were bred to adventure, both by books and by the sea air in which they lived. Sir Humphrey Gilbert and his half-brother, Walter Ralegh, were gentlemen, trained to books at Oxford, and men of fortune besides, who could put forth into the world to look into what they had read of. Their books were full of travellers' tales; their neighbors were seamen who had met the Spaniard at close quarters on the high seas, and lightened him of his treasure. Wealth and adventure alike seemed to call them abroad into the new regions of the West. Ardently, and yet soberly too, with a steady business sagacity as well as with high, imaginative hope, they obtained license of the crown and led the way towards new ports and new homes in America. They did all with unstinted energy and devotion, embarking their fortunes in the venture. In 1583 Sir Humphrey Gilbert himself went out to Newfoundland, and lost his life seeking a harbor to the southward where to plant a colony. He had made his own quarters in the smallest vessel of his little fleet, and calmly "sat abaft with a book in his hand," even when the violent sea and the unknown coast threatened most sharply, cheering his companions the while with the stout-hearted assurance, "We are as near heaven by sea as by land." On Monday night, the 9th of September, about twelve o'clock, his lights went out and he found a haven he had not sought. The next year, 1584, Ralegh sent out two ships to take the southern course to America and find a coast suitable for settlement. They hit upon Roanoke Island. It was, their captains reported, an exceeding pleasant land, its people "most gentle, loving, and faithful, and such as live after the manner of the golden age." Within the next three years, therefore, until the coming of the Armada called his attention imperatively off from the business, Ralegh made two distinct efforts to establish a permanent colony on the island. But both attempts failed. The right temper and purpose had not come yet. The first colony contained men only, and these devoted themselves to exploration instead of to tillage and building. Ralegh and his agents alike were still dreaming of El Dorado. The second colony contained women and families; but they made small progress in learning to deal with the Indians, now no longer gentle and faithful; and they continued to rely on England for supplies, which did not come. When finally search was made for them they were not to be found. Their fate has remained a mystery to this day.

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And so the century ended, with only a promise of what might some day be done. But, though the new continent still remained wild, strange, and inhospitable, the approaches to it at least were at length known. The Atlantic was cleared of its terrifying mystery, and the common sun shone everywhere upon it. Both the northern and the southern routes across it had become familiar to seafarers. The merchants of Southampton regularly sent ships upon the "commodious and gainful voyage to Brazil" so early as 1540; and Newfoundland had been a well-known fishing and trading post ever since 1504. In 1570 at least forty ships went annually from English ports to take part in the fisheries there; and in 1578 no fewer than a hundred and fifty were sent from France alone. Hundreds of crews were to be found in St. John's Harbor in the season, drying their catch and sunning their nets. Europe could not have been sure of fish on Fridays otherwise. The ocean ways were well known; the coast of North America was partly charted; its forests were no longer deemed the frontier barriers of kingdoms; the romantic age of mere adventure was past; and the more commonplace and sober age which succeeded was beginning to appreciate the unideal economic uses to which North America was to be put, if Europe was to use it at all. It only remained to find proper men and proper means for the purpose.

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Note on the Authorities.—The general history of the discovery, exploration, and early settlement of the coasts of North America, before the English came, may best be read in the various chapters of the first two volumes of Winsor's Narrative and Critical History of America (where full lists of authorities are given), in the two volumes of Mr. John Fiske's Discovery of America, in the first volume of Mr. J. A. Doyle's English Colonies in America, and in the first volume of Bryant and Gay's excellent Popular History of the United States. Mr. Francis Parkman has given a characteristically lucid, accurate, and engaging account of the French settlements in Florida and at the north in his Pioneers of France in the New World.

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Those who wish to read of the early voyages and explorations at first hand, in the contemporary accounts, will find almost everything that they want in Richard Hakluyt's Principal Navigations (edited by Edmund Goldsmid. Edinburgh, 16 vols., 1885-1890), in the invaluable Publications of the Hakluyt Society, and in the Collections of the Massachusetts Historical Society.

Chapter 2:

The Swarming of the English

Part 1: The Virginia Company

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IT was the end of the month of April, 1607, when three small vessels entered the lonely capes of the Chesapeake, bringing the little company who were to make the first permanent English settlement in America, at Jamestown, in Virginia. Elizabeth was dead. The masterful Tudor monarchs had passed from the stage, and James, the pedant king, was on the throne. The "Age of the Stuarts" had come, with its sinister policies and sure tokens of revolution. Men then living were to see Charles lie dead upon the scaffold at Whitehall. After that would come Cromwell; and then the second Charles, "restored," would go his giddy way through a demoralizing reign, and leave his sullen brother to face another revolution. It was to be an age of profound constitutional change, deeply significant for all the English world; and the colonies in America, notwithstanding their separate life and the breadth of the sea, were to feel all the deep stir of the fateful business. The revolution wrought at home might in crossing to them suffer a certain sea-change, but it would not lose its use or its strong flavor of principle.

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The new settlers came in two small ships and a pinnace, the Goodspeed, the Sarah Constant, and the Discovery, all of which belonged to the Muscovy Company, which usually sent its ships for trade much farther north, to Hudson's Bay and Davis Strait, or to bring cargoes from Greenland and the Cherry Islands. The little band of adventurers had gone aboard their craft at Blackwall, on the Thames, and had begun to drop down the river to put to sea on the next to the last day of December, 1606; but rough weather held them for weeks together in The Downs, and it was past the middle of February, 1607, before they got finally away. Their course fetched a wide compass round about by the Great Canaries and the West Indies in the south, and it was the end of April before they saw at last the strange coasts for which they were bound.

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It was a lonely age in which to be four months upon the great sea, for "ships were rare," only "from time to time, like pilgrims, here and there crossing the waters." You were sure to see no sail anywhere as you went. And the land to which they came was as lonely as the sea, except for the savages who lurked within its forests. The three little merchantmen came none the less boldly in at the capes, however; and the tired men on board thought the shores of the vast bay within very beautiful, with their "fair meadows and goodly tall trees," and their "fresh waters running through the woods," better than any wine to men who for four months had drunk from the stale casks on the ships. And yet the loneliness of those spreading coasts, forested to the very water, was enough to daunt even brave men.

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They presently found a great "river on the south side, running into the main," and they chose a place on its banks for their settlement which was quite forty miles above the mouth of its stately stream; for they wished to be away from the open bay, where adventurous seamen of other nations, none too sure to be their friends, might at any time look in and find them. They named their river the James, and their settlement Jamestown, in honor of the king at home. Eighty years before there had been Spaniards upon that very spot. They had built houses there, and had planned to keep a lasting colony. There had been Spaniards in the West Indies these hundred years and more,—ever since the days of Columbus himself; and in 1526 Vasquez de Ayllon had led a great colony out of Santo Domingo to this very place, no fewer than five hundred persons, men and women, with priests to care for their souls and to preach the gospel to the savages. But discord, fever, and death had speedily put an end to the venture. The place had soon been abandoned. Scarcely one hundred and fifty of the luckless settlers survived to reach Santo Domingo again; and when the English put ashore there, where a tongue of low and fertile land was thrust invitingly into the stream, no trace remained to tell the tragic story. It was as still and bare and lonely a place as if no man else had ever looked upon it.

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There were but a few more than a hundred men put ashore now from the English ships to try their hands at making a colony, and not a woman among them to make a home. They had been sent out by a mercantile company in London, as if to start a trading post, and not a community set up for its own sake, though there could be little trade for many a long day in that wilderness. Certain London merchants had united with certain west-country gentlemen and traders of Bristol, Exeter, and Plymouth in the formation of a joint-stock company for the purpose of setting up colonies in both "the north and south parts of Virginia"; and to this company royal letters patent had been issued on the 10th of April, 1606. The name "Virginia" had been given, in honor of Elizabeth, the Virgin Queen, to the mainland which Ralegh's first explorers found beyond Roanoke. So far as Englishmen were concerned, the name covered the greater part of the Atlantic coast of the continent. The patentees of the new company were to attempt both a northern and a southern settlement, and, to serve their double purpose the better, were divided into two bodies. The London stockholders were to undertake the first colony, in some southern part of "Virginia," between the thirty-fourth and the forty-first degrees of north latitude; while the incorporators who were of Somerset and Devon were to undertake a second colony, to be conducted to some point farther north,—though all were to remain under the government of a single general council.

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There were men of capital importance and quick energy among the London incorporators; and the enterprise they had taken in hand was not all novel. Several of them were members also of the East India Company, which had been formed seven years before, and of the "Russia or Muscovy Company," whose trade in far-away seas was a thing established and familiar. They were most of them men who had heard all there was to be told or read of the voyages and adventures by which America had become known in England; and some notable sailors were also of their number who had themselves seen the strange seas and unfamiliar coasts which others only read of. Richard Hakluyt, the genial and learned churchman, who loved every tale of daring and who knew more of the New World than any other man in the kingdom, was their associate in the new company. Captain Newport, to whom they intrusted the command of their little fleet, borrowed from the Muscovy Company, had already been twice to America: a clear-eyed man hardly turned of forty, and likely to understand what he saw. Bartholomew Gosnold, whom they commissioned captain of the Goodspeed, had himself discovered the short route to America by way of the Azores, and went now permanently to cast in his lot with the colonists. There were capacity and experience and audacity and steadfastness enough embarked in the service of the Virginia Company, it must have seemed, to make it sure of its success.

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And yet nobody very well understood what this new business of establishing colonies was to be like, for all that; and the colonists whom these capable London gentlemen sent over with Captain Newport were a sorry lot, it turned out, with whom to attempt an enterprise which should need for its execution every manly quality of courage and steadfastness and industry. Prosperous and steady men who were succeeding at home were not likely to be willing to go to America, of which they knew nothing except that it was full of savages, and that Ralegh's colonists had been lost there, never to be found again. Only men hopelessly out of work or out of sorts, and reckless men, young and fond of adventure, were likely to think the prospect inviting, or the novel risk worth taking, to better their fortunes, or to get the monotony out of their lives.

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It happened that England was full of idle men, because her life was changing. The very quickening and expansion of commerce and of adventure in trade and conquest which had changed all the age and the aspect of the world itself since the first crossing of the Atlantic had given England a new place in the geography of the planet, and was radically altering men's lives and occupations and ambitions there. New trades and industries were springing up, and the towns were reaping the benefits of a diversified commerce. But the people of the rural districts had fallen upon evil days. Land, like everything else, had become a sort of commodity as trade gained its mastery. The old tenures, under which small holders had so long lived unmolested, were breaking up. The city merchants bought estates for their pleasure, and wanted no tenants. The older landowners got rid of small farmers as fast as they could, in order to turn their lands into pasture for the sheep whose wool was so much in demand by the merchants and the manufacturers. They even enclosed and appropriated for the same purpose commons which had time out of mind been free to all, and swept hamlets away to make the more room for their flocks. The demand for agricultural labor sadly slackened. "Your sheep, that were wont to be so meek and tame," cried Sir Thomas More, in his anger and pity to see such things done, "are now become so great devourers and so wild that they eat up and swallow down the very men themselves. They consume, devour, and destroy whole fields, houses, and cities." Town and countryside alike filled with men out of work, who "prowled about as idle beggars or continued as stark thieves till the gallows did eat them"; and unguarded wayfarers were robbed upon the highways by desperate men who could find no other way to obtain subsistence. James's craven eagerness for peace had put an end to the wars with which Elizabeth's day had resounded, and London was full of idle soldiers, mustered out of service. Younger sons and decayed and ruined gentlemen seemed to abound more than ever.

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It was men out of work or unfit for it who chose to go to America; and not men of the country-sides so much as discredited idlers and would-be adventurers of the towns. More than one-half of the company Captain Newport conducted to James River called themselves "gentlemen,"—were men, that is, of good blood enough, but no patrimony, no occupation, no steady habit, who were looking for adventure or some happy change of fortune in a new land, of which they knew nothing at all. Very few, indeed, of the rest were husbandmen or carpenters or trained laborers of any sort. There was only one mason, only one blacksmith, in all the hundred and twenty. Only two were bricklayers, only six carpenters; while thirty-five were gentlemen, and most knew not what to call themselves. The things it was most necessary to do when at last the landing had been made at Jamestown,—the planting of crops, the building of houses, the dull labor of felling trees and making a beginning in a wilderness,—were the very things which the men the Virginia Company had sent over knew least about, and had the least inclination to learn. They expected the company to send them supplies out of England, and gave little thought to what they were to do for themselves. When Captain Newport's ships put to sea again and left them, they here at their wits' ends to know how to maintain themselves.

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It would have gone desperately with them had there not been one or two men of masterful temper and governing talents among them. Captain Newport came again with supplies in the winter; and still another ship followed him the next spring. And, besides supplies, the two ships brought a hundred and twenty new settlers between them. But among the new-comers there were shiftless "gentlemen" in the usual proportion; and there came with then, a jeweller, two goldsmiths, two refiners, and a perfumer,—as if there would be need of such people! Such additions to the settlement only made it so much the harder to develop or even maintain it; and the few men who could rule stood out like masters among the inefficient idlers of whom the incorporators in London had thought to make pioneers.

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There was one among them, Captain John Smith, to whom, in large part at any rate, they owed their salvation from utter helplessness and starvation. Captain Smith had a gift for narrative which his fellow-adventurers did not have, and has set his own achievements down in notable books whose direct and rugged ways of speech, downright temper of action, and air of hardihood bespeak the man himself. He was not yet thirty years of age when he began to play his part there in Virginia; he was exasperatingly sure of himself; older men found his pretensions wellnigh unbearable. But it was certain he had seen more of the world and of adventure than any other man of the company. He had known and had come to conclusions with men of many races and of every kidney, as he had cast about the world, a soldier of fortune; and he knew how they were to be governed, as he presently demonstrated. He rang like brass without, no doubt, but had a quality of gold within. He was a partisan of his own way of making a colony, and it may be colored the narratives he wrote to be seen at home; but he was no sluggard at work, and knew how to take the burdens of tasks which no one else would attempt. He at least found ways of getting food from the Indians, and of making interest with their chiefs. Though he took authority when it was not given him, he made the lazy, "humoursome, and tuftaffety sparks" of the settlement work, upon penalty of being set across the broad river to shift for themselves or starve; prevented would-be deserters from running away with the boats; explored the neighboring coasts and river-courses for two years and a half played his part very capably and very manfully in keeping the struggling settlement alive, when the majority of his comrades would have been glad to abandon it. He compelled no man to do what he did not willingly do himself. "Gentle men," under the spur of his example and command, learned to make a pleasant pastime of labor in the forest,—so that "thirty or forty of such voluntary gentlemen," as Master Anas Todkill said, "would do more in a day than one hundred of the rest that must be prest to it by compulsion,"—though doubtless "twenty good workmen would have been better than them all." No doubt there were others who seconded Captain Smith in the maintenance of order and of hope, and who worked as he did to take some hold upon the wilderness for their principals at home; but upon him fell the chief burden of the task, because he could carry it and prevail.

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When at last, in the autumn of 1609, he was obliged to take ship for England, dangerously wounded by an explosion of gunpowder, it looked as if the worst were over at Jamestown. The company at home had been very busy getting colonists, and had sent them over in goodly numbers. There were about five hundred persons at the settlement when. Captain Smith left,—a few women among them, making it look at last as if the lonely place were to see homes established; and fifty or sixty simple houses had been put up. But numbers, it turned out, did not improve the living. Too many of the new-comers were "unruly gallants, packed thither by their friends to escape ill destinies" at home; and those whom they joined at their landing still did not know how to support themselves in the wilderness, or how to keep themselves safe against the fevers which lurked within the damp forests by the river. Added numbers made then, a little more helpless than before; and the six months which immediately followed Captain Smith's departure brought upon them a desperate "starving time," which no man who survived it ever forgot. There were few to work where every one was ill and in want. They tore their rude houses down for firewood before the winter was over; do what they could, only sixty of them lived to see the spring again, and a gleam as of madness played in the eyes of those who survived those days of desolation. One came and cast his Bible into the fire, crying out that there was no God. It was resolved at last, when they could, to abandon the desolate and hopeless place, and the forlorn little band were actually on their way down the river, meaning to seek food and shelter among the fishermen in Newfoundland, when Lord Delaware met them at its very mouth with fresh colonists and supplies sent by the company, to their relief.

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The radical difficulty was, not that the company did not do its part to sustain the colony, but that it could get few colonists of the proper sort, and was trying to do an impossible thing. The settlers sent out had no hopes or prospects of their own, as the company managed the business then. They were simply its servants, fed out of a common store, and settled upon land which belonged to no one but was used for all alike. No man would work well or with quick intelligence if he could not work at all for himself, but must always be working for the company. First-rate men would not consent to be the company's drudges. And what could the company get out of the wilderness in return for its outlay by the work of such men as it could induce to go to Virginia upon such terms? A few cargoes of timber, a few new varieties of medicinal herbs found in the forests, could not make such expenditure worth while. Captain Newport, after his second voyage out, had gone back to England with his hold full of glistening earth, which he supposed to contain gold; but it contained nothing of the kind. It was only shining sand.

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Lord Delaware, though a little slow and stiff and fond of wearing fine apparel and going about attended by officers and halberd-bearers, which seemed fantastic enough there in the shadow of the untouched forests of that wilderness, was a wise and capable man, and no doubt saved the colony by coming out, that hopeless spring of 1610, as Governor and Captain General for the company. But it needed a radically new policy to give real life to such an enterprise; and that it did not get till Sir Thomas Dale came the next year (1611), after Lord Delaware had gone home stricken with a fever. The new policy it needed was one which should give it expansion and a natural vitality of its own. It was necessary that new towns should be built upon the river which should not be, like Jamestown, mere stations where men worked at tasks for the company, but veritable communities in which men should be allowed to have land of their own, and should be given leave to work for themselves as well as for the incorporators in London. For five years (1611-1616) Sir Thomas Dale and Sir Thomas Gates pushed this new policy forward; and it was their new and better way of doing things that really made and established Virginia. "Henricus," "Hampton," "New Bermuda," and other new settlements like them, were added to Jamestown, each with its fort and its stockade, its military commander and discipline, and each with its group of virtually independent landowners, free to work for themselves.

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Most of the colonists, it is true, were still held at Jamestown to serve the company, and driven to their work, as little better than slaves, by their new task-masters. Gates and Dale came with authority to rule by martial law, without let or mercy, and colonists of the poorer sort got nothing but blows and rations for their bitter toil. Those who mutinied or ran away were put to death or to the torture, if need were, to keep the discipline of toil and order which the company's treasurer and merchant adventurers were now steadfastly minded should be wrung from the colony. But the new plantations showed the way to a new life. There were independent settlers here and there upon the river, as well as men who were mere servants of the company. The better sort, even of the men whom the company had sent out, were given their patches of land and their time,—if it were only one month out of the twelve,—to do work for themselves, in order that the new plans might thrive. A strong root as of a little commonwealth was planted at last.

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Dale and Gates both belonged to that capable race which had been bred under Elizabeth, willing to be soldiers or sailors by turns, if only they could be always in the thick of action. They had both been soldiers in the Low Countries against Spain, and, now that fighting flagged there, were both serving their turn at this interesting business of setting up colonies. Dale was the more capable and masterful of the two: a terror to men who would not work or were slow to obey; a leader after their own hearts for men who meant to do their tasks and succeed,—and his stay in Virginia was, fortunately, longer by three years than Gates's. He was but Gates's deputy so long as Gates was in Virginia (1611-1613); but he was master when Gates was gone,—prevailed even when Gates was there—and it was his rough and soldierly energy which made the little group of "plantations" at least ready to last and to expand into a lusty piece of England over sea. When he had finished his five years' work, the colony, though small and primitive still, was yet strong and spirited enough to survive being despoiled by an adventurer. For a year after Dale quit the colony it was left under the government of Captain George Yeardley, the commandant of one of the new settlements. But in 1617 Samuel Argall came out to take his place, and proved himself no lover of the people he had come to govern, but a man chiefly bent upon serving his own fortunes. He was of gentle blood, but had too long followed the sea in those disordered times, as little better than a freebooter, to relish law or justice overmuch; and it was excellent proof that the colony had grown strong and able to take care of itself that it endured for full two years his tyrannous and selfish exactions (1617-1619), and yet was ready at the end of them to assume a sort of independence, under a new form of government which gave it the right to make its own laws.

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In 1619 Captain Yeardley, now become Sir George, returned out of England commissioned to take Argall's place and govern the plantations under a new and better charter. He was to call together an assembly of representatives from the several plantations, and that assembly, sitting with the governor's council, was to have the full right to make laws for the colony, subject always to the approval of the court of the company sitting in London. Here was a very radical change. The colony was to be no longer the mere mercantile venture of a trading company controlled by its stockholders. It was to be a little state, governed by its people. The fact was that a notable change had come over the company at home. Until now it had been managed by men who were mere merchants, not statesmen: by men who cared very little about anything but the profits some time to be got out of the colony-the sooner the better. Now men of another sort were in control; the chief among them Sir Edwin Sandys, a man who loved liberty, had a statesman's knowledge how it was to be set up and maintained, and wished to see the settlement thrive for its own sake, and the noble Earl of Southampton, whom Shakespeare loved. It was upon the initiative of these men that Sir George Yeardley had been sent out to give the colony self-government.

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Here, under the quiet forms of a mere administrative change in the management of the colony, was a veritable revolution wrought. Sir George brought with him a document, bearing date 13 November, 1618, which Virginians were always thenceforth to look back to as to their Great Charter of rights and liberties,—a document which made of their colony a little commonwealth. It was drawn in the spirit of the men for whom Sandys spoke. Five years ago Sir Edwin had stood in his place in the Commons and maintained in the face of all present "that the origin of every monarchy lay in election; that the people gave its consent to the king's authority upon an express understanding that there were certain reciprocal conditions which neither the king nor the people might violate with impunity; and that a king who pretended to rule by any other title, such as that of conquest, might be dethroned whenever there was force sufficient to overthrow him"; and here was now a constitution for Virginia drawn in like spirit. No wonder the King had cried, "Choose the devil, if you will, but not Sir Edwin Sandys," when he heard that the Virginia Company had a mind to make this too free-thinking friend of Hooker and Selden its chief and treasurer, and deemed it revolutionized and made an instrument of sedition against him when it chose Sir Edwin notwithstanding.

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The new Virginian assembly met in the chancel of the church at Jamestown, on the 30th of July, 1619. We look back with some emotion upon it, as to the first representative assembly in America,—as to the beginning of liberty and self-government in the English colonies; but the colonists themselves seem to have taken it very quietly, as if they had expected it and looked upon it almost as a matter of course in the circumstances. Its sessions were as brief, as businesslike, and as much without ado as if they were already an established part of the custom of the colony. Certain necessary enactments were adopted touching trade with the Indians, the use of tobacco as currency, the salaries and authority of clergymen, and various other matters in which special regulations for Virginia seemed called for; but for the rest it was taken for granted that the common law of England was in force there, as in every other place where there were Englishmen; and within six days of its coming together the little assembly was ready to adjourn. The quiet and ready capacity with which the colonists accepted this radical change in the method of their life and government afforded the best proof that they were fit for the responsibilities it involved.

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The company, under its new leaders, was a little too eager to help the colony to prosper. Settlers were hurried over much faster than they could be provided for. During the three years 1619-1621 quite three thousand five hundred came pouring in, men, women, and children, fleet after fleet of the company's ships appearing in the river to put their mixed hosts of inexperienced people ashore. And yet at the end of the three years there were but twelve hundred settlers, all told, in the colony. Cleared land and means of immediate subsistence could not be found upon short notice for so many. Hundreds succumbed to the dangerous fevers and sudden distempers drawn out of the damp forests by the summer sun or the first chill of the autumn nights. A sore process of "seasoning" tried out the river settlements every year, and only a few could endure it. It was reckoned inevitable that hundreds of new-comers should die. Many saw how things stood and went back to England again. But those who remained and survived prospered well; and the settlements grew, after all, as fast as it was safe for them to grow.

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The terms under which land was granted to settlers became more and more liberal as things settled to an established way of life. Even Dale had not relieved the tenants of his day from the duty of working part of their time for the company; and the colony had been conducted, until Sir George Yeardley came, like a joint stock enterprise in which only stockholders might expect private profit. But under the changed conditions which followed Sir George's coming virtually independent landholding became possible on very easy terms; and, what was quite as good, the company no longer insisted that everything bought or sold should pass through the hands of their factor, as the only middle-man, so that the profits of all trade might fall to them. It turned out to be a very important thing' that Mr. John Rolfe, one of the colonists, had in 1612 introduced the cultivation of tobacco; for tobacco grew amazingly well and of exceeding good quality in Virginia, and proved a most profitable crop. By 1620 forty thousand pounds of the delectable herb were exported from the colony in a single year, and everybody who could was planting tobacco instead of grain. Its leaves even became the currency of the plantations, coin being very scarce. "The people of the South-parts of Virginia," it was reported, "say that God in the creation did first make a woman, then a man, thirdly great maize or Indian wheat, and fourthly, Tobacco."

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In 1619, the year Sir George Yeardley came to set up an assembly, another very notable thing happened. A Dutch man-of-war came into the river and sold twenty negroes to the colonists as slaves. A handful of slaves made no great difference at first; they were so few as scarcely to affect the life of the colony, and it was to be many a long day before their number was much added to. But their coming was the beginning of a great change which was slowly, very slowly, to alter the whole face of society in the settlements.

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By 1622 it seemed as if the chief difficulties of settlement were safely passed and the plantations secure of their growth and permanence. But in the very moment of assurance a great calamity came upon them, sudden, overwhelming, like a bolt out of a clear sky. On the same day and at the same hour (22d of March, 1622) the Indians fell upon every settlement from the falls of the river to the bay, all the tribes of all the region round mustering in concert to strike a single exterminating blow. The colonists had suffered themselves to be deceived by the submissive friendliness of their savage neighbors; and had grown strangely heedless of danger from them. For years they had traded with them, mingled with them, admitted them freely to their homes, taught them the expert use of firearms, made servants and even confidants of them, without caution or reserve, deeming them an inferior race who had accepted the white men as masters. But the old Powhatan, a real friend of the English, who had been ruler among the redmen ever since the landing at Jamestown, was dead. Opecanchanough, their subtle and implacable enemy, had succeeded him. For four years the wily savage had been drawing the tribes together for a decisive treachery; and the dreadful secret had all the while been kept safe behind the steady eyes of every Indian who entered the settlements. Only at the last moment did one or two faithful native servants warn their masters of the fearful peril; and then it was too late to do more than put a few households on their guard. Before the sun went down that fatal day three hundred and forty-seven men, women, and children lay dead in the desolate settlements. Only because the Indians feared the white man with an overmastering dread, and drew back dismayed wherever a firm stand was made against them, if only by a single settler barred within his house, did the terrible slaughter stop short of sheer annihilation. No place escaped the carnage. But the colony, though stunned, was not killed. The Indians' courage had not held out to finish the bloody work. There was henceforth an endless reckoning in store for them—no longer any friendship vouchsafed or any consideration. Steadily, relentlessly, and by a masterful advance from settlement to settlement which they could in no wise withstand, they were pushed back into the forests. The very year which followed the massacre found nearly two thousand white men still in the scattered villages and plantations of the indomitable English, and their quiet way of growth had been resumed.

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But the great company which had founded the settlements and seen them safely through their first struggles for life and maintenance was not to be suffered to live. The King did not relish the politics and suspected the loyalty of the gentlemen who were in charge of its affairs. They were of the party which opposed him in Parliament. He had dismissed his Parliament and meant to rule without it; but this great company, with names upon its rolls which were among the chief of London not only but of the kingdom itself, held meetings every quarter under his very eyes which were like another parliament; which brought his enemies very near him, and held the attention of the town. Those who wished his favor or the ruin of Sandys and Southampton told him that they used their conferences to plot sedition against him, and the councils of the company to keep a constitutional opposition together; and he determined to he rid of them. Every mismanaged or ill-judged affair with which the company was chargeable was magnified and made the most of, and, despite a very gallant fight in the law courts to save it, its charter was taken away, and the government of the colony transferred to the hands of the King and his ministers. It made little practical difference to the colonists. They kept their assembly, and could live as comfortably under a governor sent them by the King as under a governor sent them by the company. The course of affairs in Virginia was not disturbed. But a great company was destroyed, and the public-spirited men who had given it its best life and the colony its first taste of self-pleasing liberty were deeply wronged

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Authorities on the history of Virginia during the seventeenth century. Excellent general narratives of the founding and early development of Virginia are to be found in the first volume of Mr. John A. Doyle's English Colonies in America and in Mr. John Fiske's Old Virginia and Her Neighbours. Charles Campbell's History of the Colony and Ancient Dominion of Virginia is the standard history of the colony; John Burk's History of Virginia is the most solid and extensive of the older accounts; and Robert R. Howison's History of Virginia has the dignity of resting upon careful research. William Stith's History of the First Discovery and Settlement of Virginia brings the narrative down only to 1624, but is compact of the most interesting matter, and is a significant example of the scholarship of the middle of the eighteenth century in Virginia. Mr. Stith was President of William and Mary College. The Rev. Hugh Jones's Present State of Virginia was published in 1724, and is an excellent early authority. Miss Ann Maury's Memoirs of a Huguenot Family contains the authentic records and letters of three generations of a family driven from France to Virginia by the revocation of the Edict of Nantes, and affords a very intimate picture of the life of more than a century. The Rev. E. D. Neill, in his History of the Virginia Company of London, his Virginia Vetusta, and his Virginia Carolorum, has brought together a vast deal of scattered information out of which very direct impressions may be got of the life and history of the colony. Bishop Meade, in his Old Churches and Families of Virginia, has brought together an extraordinary mass of authentic details, most of which relate to the eighteenth, but many of which belong to the seventeenth century.

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The original sources of Virginian history are to be found in Captain John Smith's True Relation of Such Occurences as Have Happened in Virginia, published in 1608, and Generall Historie, published in 1624, both of which many modern readers are inclined to take with a grain of salt; in the Collections of the Virginia Historical Society (which, among many other important things, contain the Proceedings of the Virginia Company from 1619 to 1624); in W. W. Hening's invaluable and remarkable collection of the Statutes at Large of Virginia, which begins with the acts of the first assembly, in 1619, and is brought down, with scarcely an omission, to the end of the eighteenth century; in Sainsbury's Calendar of [English] State Papers, Colonial, I. and V.; in the two volumes of Mr. Alexander Brown's Genesis of the United States, which is a notable mine of material; in Peter Force's Tracts and Other Papers Relating to the Colonies in North America; in the Collections of the Massachusetts Historical Society; in the notable collection of papers gathered under the title Archaeologia Americana ; in the Virginia Historical Register; in the Virginia Magazine of History and Biography ; and in the Southern Literary Messenger.

Part 2: New Netherland and New Plymouth

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MEANWHILE other colonies were being successfully planted in the north. On the great river St. Lawrence, which doughty Jacques Cartier had explored quite seventy years before, the French had set up trading-posts at Montreal and Quebec. They had established, besides, a struggling settlement or two nearer the mouth of the river; and to the southward, within the Bay of Fundy. A little colony of Englishmen had begun to make homes for themselves in Newfoundland. Dutch traders were established on the Hudson. A company of English dissenters were building a New Plymouth within Cape Cod, and little groups of English adventurers were trying to secure a foothold upon the southern shores of the wide Bay of Massachusetts. Nowhere except in Virginia had more than a beginning been made; but the settlement of the continent seemed at last to have been begun in earnest; and the future looked interesting enough with the French, the Dutch, and the English all entered as active competitors in the race for possession.

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The Dutch were likely to be harder rivals to beat than the French. Their little, compact home states in the Netherlands were, it is true, scarcely one-fourth as big as England, but they teemed with a thrifty people almost as numerous as the English themselves, and their chief power was upon the sea. With them, at home, the very land itself was one-half sea. They had been bred fishermen and mariners time out of mind; and of late, because the Spaniard Provoked then, to it, they had put great fleets on the high seas and had made conquests at the ends of the earth.

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At first they had not thought of conquest. They had simply made themselves, with their stout craft and seasoned tars, the ocean carriers for Europe,—because the Portuguese, who had captured rich lands and set up a great trade all the way from the Persian Gulf to Japan, did not trouble themselves to bring their cargoes beyond their own port of Lisbon, and because the Spaniards brought their treasures out of South America no farther than Seville, and some one was needed to carry what they would sell to the merchants and princes of the rest of Europe. No doubt the Dutch would have been content to be only traders and carriers, had Spain but let them alone. But Spain, in her folly, undertook to force the Dutch to be Roman Catholics; and they, being stout Protestants and stubborn men, resisted after a fashion that in the end set the whole power of rich Spain at naught. The war began in 1568; all Europe was stirred by it; and when, forty-one years later, the Spaniard, quite out of breath, agreed to a truce, the world had changed. Holland had become a great sea-power; had driven the Portuguese from the Orient, taking their trade and their colonies; was sinking imperial fleets upon the very coasts of Spain herself, and sweeping Spanish treasure by the ship's cargo into her own coffers. She was beforehand even with England in making herself mistress of the seas, and had turned to this new task of taking possession of America with confidence and audacity.

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The Dutch combined conquest with trade, as England did, and it was a Dutch East India Company of merchants which drove the Portuguese from their possessions in the East, as it was an English East India Company of merchants which afterwards conquered India for England. And when their East India Company had made itself powerful and famous by its conquests and adventures, the Dutch formed a West India Company also, to trade and take what it could upon the western coasts of Africa, upon both coasts of South America, and among the southern islands of the Atlantic. It had, as Mr. Motley has said, a roving commission to trade and fight and govern for twenty-four years; and it incidentally undertook to establish Dutch settlements on the Hudson and the Delaware. Henry Hudson, an English sailor in the service of the Dutch East India Company, had, in the year 1609, discovered the great river which was to bear his name,—the very year the baffled Spanish agreed to a truce with the redoubtable states of the Netherlands. He had also entered the great bay and stream of the Delaware. The Dutch had promptly named the Hudson the "Great North River," the Delaware the "South River," and all the rich country which lay about and between them "New Netherland"; meaning from the first to keep and occupy what their seamen had found.

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There had been a New Netherland Company, formed in 1614, before there was a West India Company. Its charter had given it commercial control of all the coast country of America from forty to forty-five degrees north latitude, a region which the Dutch described as lying "between New France [on the north] and Virginia." This was at the very heart of the country which James of England had granted to the Virginia Company; but the Dutch knew little of that, and would very likely have thought as little had they known more. It was the profitable fur trade with the Indians of the Great North River that had first attracted them. Individual adventurers among them had built a small "fort" or trading post far up the river in the heart of the wilderness, as well as a little group of huts on the seaward point of Manhattan Island in the bay, and had been trafficking there with the willing natives for quite four years before they formed their New Netherland Company.

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It was the New Netherland Company that grew into the greater West India Company, whose principal business it was to be to wrest what it could from the Portuguese and the Spanish in the south, but which was also to keep an eye all the while on the North and South rivers, where the New Netherland Company had put its trading posts. It was 1623 before the great company found time amid its other business to carry out any systematic plans of settlement in North America; but by 1625 there were already two hundred colonists on the lands they claimed: some up the great stream of the North River at the little post which they called Fort Orange, some within the South River at "Fort Nassau," some on Manhattan Island, a few on Long Island,—even a little group of families as far away as the "Fresh River," which the English were to call the Connecticut. It remained to be seen how they would fare scattered there in the wilderness; but there they were, a very hard people to discourage, by the time Virginia was fairly established in its own scattered settlements on the James, and the rights of the great Virginia Company taken into the hands of the King,—and there they meant to stay.

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Meanwhile there had come out from Holland itself a band of exiled English settlers, to be their neighbors and rivals at the north, and so put them between two growing English colonies,—not "between New France and Virginia," as their first charter had said, but between New England and Virginia. The new-comers were exchanging a temporary exile in Holland for a permanent exile in America, and effected their settlement within the sheltering arm of Cape Cod. Englishmen had begun to muster many thousands strong in Holland within a generation, and the two countries had been drawn very near to each other. Long before the war began which brought Spain and the Netherlands to a grapple, hundreds of English merchants had established themselves in the Dutch seaports; and young Englishmen were beginning, even before dissenters were shut out from Oxford and Cambridge, to resort in influential numbers to the Dutch universities. When the Low Countries grappled with Spain, English volunteers crowded into their armies. The troops Elizabeth sent over after 1585 found the Dutch ranks already full of their countrymen. English churchmen, too, for whom the policy of the Establishment proved too rigorous under the imperious Tudor queens, had learned to seek in Holland the freedom of worship denied them at home. At the same time refugees from the ravage and slaughter of Alva's armies poured across the sea from the lower Netherlands into England, and the two countries seemed to be exchanging populations. Tradesmen, weavers, mechanics, farmers, fled terror-stricken into the eastern and southern counties of England, often braving the sea in open boats when danger pressed most desperately. Their coveted skill and industry, which English statesmen knew how to value, their foreign birth and humble rank in life, which seemed to depress them below the level of political influence, gained for them an indulgence in theological error and separate worship which was denied to Englishmen themselves, and presently the English towns in the east and south teemed with thousands of Dutch artisans, who were suffered to be Anabaptists, Lutherans-what they would, so long as they taught England the industries and handicrafts which were to make her rich.

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The little company of Englishmen who, in 1620, exchanged Holland for America were not soldiers and traders like the men who had led and established the colony at Jamestown, but members, most of them, of a humble congregation of dissenters who had fled from the very districts of their native land in which foreign heretics were tolerated, to escape the tyrannical surveillance of the Church, and who had found a refuge for a time in the great university town of Leyden. They came now to America because they did not wish their children to become Dutch or lose altogether their English speech and customs, and because they could look to have an even more untrammelled freedom upon the fruitful coasts of the New World than in the ancient states of the Netherlands, into whose life they found themselves thrust like those who must be always aliens. They were Protestants, and had left England because they could not brook the domination of her Church; and yet the reason for their exile was as much political as religious. Many men in England, some of them high in the counsels of the Church itself, held the same doctrines that they held,—the doctrines which Calvin had made the creed and fundamental basis of belief among all Protestants of the sterner sort,—and yet were not exiles, because they had not broken, as these men had, with the discipline and authority of the Church.

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England's Protestantism had a color and character of its own. Her "Reformation" had struck at the roots of nothing except the authority of the Pope at Rome. Her Church had always deemed itself national, had always held itself less subject than other churches to be ruled by papal delegates, or turned this way or that by the vicissitudes of continental politics and the policies of the papal state. She had broken with Rome at last, when the Reformation came, not because she was deeply stirred in thought and conscience by the doubts and the principles of belief which Luther had put afloat to the upsetting of Europe, so much as because her King, the wilful Henry, was vexed by the restraints put upon his marriages and divorces by the papal authority, and therefore chose to lead her still further along upon the road of independence to which her position and her pride inclined her, in religion no less than in politics.

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When the change had been made, stupendous as it looked amid the ruin of the monastic houses which the King had promptly despoiled, Englishmen found themselves very little more at liberty than before to choose forms of worship or of church government for themselves. The Church had become more than ever a part of the state. The King was its head and master, instead of the Pope. He did not insist very much upon matters of doctrine, being himself in no case to set an example in that kind; but he did insist upon the authority of the Church in matters of government,—upon uniformity in worship and in discipline; because the discipline of the Church was now the discipline of the state, and part of his own sovereignty. He deemed schism a form of disloyalty, though opinion, if it kept within discreet bounds, he would not too curiously look into. It was an easy enough rule. Things might have gone very quietly and with a normal growth and liberalization, had not Mary, a fanatical Catholic, become Queen, and tried forthwith to force every one in the kingdom back into the Church of Rome; had not Elizabeth, in her turn, proved so absolute a martinet in every matter of obedience to the crown,—in matters which affected the Church no less than in matters which affected only her crown and government. Mary drove those who resisted her to the stake, or out of the kingdom. Elizabeth looked shrewdly into every movement that threatened the uniformity of worship, as changes of opinion inevitably did, and saw to it that all men were turned to adopt her preference.

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Most persons quietly submitted. Even men of strong convictions deemed it better to remain within the Church and purify its beliefs and practices without schism or revolution than to fling out of it, breaking both its unity and the peace of the country. Such men even drew together as a distinct party of "Puritans,"—men who wished the Church to be pure and to hold the essential doctrines of the great reformers who had given life and substance to protestantism, but who did not mean to lead it faster than it could go in the new ways, or to separate themselves from it and set up a Church and worship of their own, even though it were the excellent forms and beliefs of the church of Geneva. Others, however, were of a more exacting conscience, a more imperious and separate way of belief. It meant a great deal to them to have come into direct contact with the Word of God, to have thought upon its living sentences with the free, unbidden, individual right of interpretation of which great Luther had set the example. It was King Henry himself who had authorized the publication of the Bible in English, and who had commanded that it be made accessible everywhere in the churches; and when once they had thought upon it for themselves and had found their thought, sober and chastened as it was, running in unsanctioned channels, some men preferred their own consciences and their own views of the truth to obedience, and refused to conform. They followed the example of the Dutch, now to be found almost everywhere among them, and set up independent congregations,—became "Separatists," secretly and in defiance of the crown.

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Elizabeth, bent upon being sovereign in all things, had grown harsher and harsher towards those who would not submit to authority in matters of belief and worship. Law upon law had been passed to prevent Englishmen from organizing any worship of their own which the bishops did not sanction; and whatever was law Elizabeth saw to it should be executed. And then, when Elizabeth was gone, James of Scotland came to the throne and completed the discomfiture and despair of those who had clung to the Church through all that had gone before, in the hope of better times and more liberal ways of government. He had seemed a veritable Presbyterian so long as he was King of Scotland; but when he became King of England also he turned out to be of another opinion. "A Scottish presbytery," he exclaimed, "agreeth as well with a monarchy as God with the devil." He was head of the Church, he declared, not only because Henry had cast loose from Rome, but also because it was of divine ordinance and appointment that he should be. The bishops of the Church were his agents. "No bishop, no King," he said; and men found that they must obey the King in matters of religion as never before.

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It was in the disheartening days of this new tyranny that the little company of "Separatists" fled from England into Holland who were afterwards to seek new shelter within Cape Cod in America. They had waited only until there should be peace between the Netherlands and Spain; and the truce had come at last in 1609 which gave them their freedom to go, following after scores of their countrymen who had gone before them. They had formed their separate association for worship in England three years before, in defiance of the law, meeting quietly in the old manor house at Scrooby, a little hamlet just within the borders of <<>>Notinghamshire, on the great north road from London to Edinburgh. They were humble folk, for the most part, of no social consequence, with only two or three scholars among them,—William Brewster, their elder, and John Robinson, their "teacher," and one or two others bred at Cambridge, men of strong convictions and an exalted sense of independence and duty, who had been driven from the Church for nonconformity. But, humble though they were, they could not keep their ways of worship hid from prying eyes. The law was rigorously enforced against them, and they soon found that they could have no peace in England.

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They fled first to Amsterdam, but after about a year removed to Leyden (1609). There they made comfortable enough homes for themselves, by dint of careful thrift and hard labor. Their new neighbors liked them and helped them, because they found them capable, honest, and diligent. But it was not like being in England, after all. They felt themselves exiles all the while. Mr. Robinson, with his learning and his sweet eloquence, made friends and found congenial tasks at the university, where his gifts were recognized and honored; and Mr. Brewster established himself as a teacher, "instructing students at the university, Danes and Germans, in the English language," and even set up a printing-press, where books forbidden as heretical in' England could be printed. Scholars were by breeding men of the world, and could adopt the manners and enjoy the companionships of a new country with a certain zest and relish. Mr. Brewster had known these strange places before. Close upon five-and-twenty years before, when the great war and tragic grapple with Spain was at its heat, he had come into the Netherlands with William Davison, the hard-headed Scottish Puritan whom Elizabeth was pleased to employ as her ambassador in that quarter. He counted statesmen and travellers and men about the sovereign's person among his friends, and could be well enough at ease wherever duty or employment led him. But the majority of the little band were humble folk and found their lot hard. Even a bare living was difficult to eke out in a strange country, whose manners were as unfamiliar to them as its language. They saw their children growing up, too, as the years went by, in a way that threatened to make them as Dutch as their neighbors, and forfeit their nationality altogether; and that was deeply distasteful to them. When the truce approached its end, therefore, and war was again at hand, a final argument of discouragement was added, and they determined to try their fortunes in the New World, where Virginia had now become fairly established and seemed secure of its future.

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They sent agents to London to speak with the managers of the Virginia Company, and obtain leave to settle within their grant. Mr. Brewster could go to Sir Edwin Sandys as to a man who knew him and would befriend him willingly. He had lived at Scrooby manor house as agent of Sir Samuel Sandys, Sir Edwin's brother, and Sir Edwin knew his integrity and was of too liberal a temper to distrust him for his independency in matters of belief and worship. The exiles could count upon favor in that quarter, now that a statesman ruled in the counsels of the great company. They did not wish to go to Jamestown or to lose in any way their separate organization as a congregation by being merged with plantations already made; and for a little, while their negotiations with the Virginia Company dragged slowly, because Sir Edwin Sandys and its other leaders were of necessity called off to other things, they thought of entering into some arrangement with the Dutch West India Company to secure a separate allotment of land near the Great North River of New Netherland. But that plan fell through, and some of them at last set forth with a charter from the Virginia Company,—a charter conceived in the liberal spirit of the men who had sent Sir George Yeardley out to give Virginia a representative assembly and the full privileges of Englishmen.

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By it their leaders were authorized to associate with themselves "the gravest and discreetest" of their companions and to make for themselves such "orders, ordinances, and constitutions for the better ordering and directing of their business and servants" as they should deem best, provided only that they should ordain nothing contrary to the laws of England. They were to be from the first their own masters in making a way to succeed. Not all could go. There was not money, there were not ships enough. Sir Edwin Sandys, with his generous public spirit in such matters, loaned them three hundred pounds without interest; but they had no resources of their own, and the rest of the money they needed they were obliged to borrow from unwilling merchants who exacted the utmost usury, and made many delays about letting them have the little they consented to lend. It was the month of September, 1620, before those who could go, a hundred and two in all, got fairly upon their way, in a single small vessel, the Mayflower. Mr. Brewster went with them, as their leader, but Mr. Robinson stayed behind; for the greater number remained, to await a later opportunity, and wished to keep their pastor with them.

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Stress of weather kept the little Mayflower nine weeks on the Atlantic; and when at last, in the bleak days of late November, they sighted land, it turned out to be Cape Cod, and not the Virginia coast at all. The master of the ship had let his reckonings go wrong, was many leagues north of the land-fall he had been instructed to make, by the Bay of Delaware, and found himself, as he closed with the coast he had blindly come upon, involved in shoals from which he did not very well know how safely to extricate himself. The Virginia Company had been divided into two bodies, as Mr. Brewster's people knew very well, and the gentlemen in London from whom they had got their charter had no rights over this northern coast. It belonged now to the separate "Plymouth" branch of the company. The immigrants had half a mind to make for Hudson's River, after all. But the season was late and stormy, and the captain surly and unwilling, and they determined to land where they were and make the best of what they had hit upon. They took care first, however, to have some sort of government made ready for the landing. Their charter from the Virginia Company being no longer serviceable, and a few even of their little group of settlers being persons taken aboard in England who were not of their congregation,—and not certain, therefore, to submit without compulsion to be governed by their authority and discipline,—they judged it best to draw up an agreement before going ashore, by which all should bind themselves to accept the authority of their leaders, until, at any rate, they should obtain a grant of lands and of power from the Plymouth Company, upon whose coasts they were thus unexpectedly to be set down. That done, they were ready to make their landing, and see what sort of a home the new coast would afford them.

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The shores of the sea within Cape Cod by no means showed the soft summer aspect which Captain John Smith had found upon them in 1614, when he had cruised along these coasts. They had reminded him then of green Devonshire and the soft slopes of England. But now they were bleak and frosted and desolate. The pilgrims were not men to lose heart, however, and their leaders were of such quality as to relish difficulty and find a zest in daring. Besides Mr. Carver, who had been their agent in obtaining the Virginia charter, which they could not use, and whom they had chosen to be their governor, first under their Virginian grant and now again under the voluntary compact signed there in the ship's cabin, Captain Myles Standish was of their company, whose people had served England ever since Agincourt, and before, who had himself fought, for the love of it, against the Spaniard in the Low Countries, and who, when the fighting was over, had happened upon their little congregation at Leyden, and had chosen to cross with them to America because he liked both them and the enterprise. There was Edward Winslow, also, a young gentleman of Worcestershire, who had in like manner chanced to come upon them in his travels and had of like preference cast in his lot with them; and William Bradford, of their own humble sort, who had gone with them into Holland when but a lad of twenty, had made himself a bit of a scholar while he plied his trade as a silk-weaver, and was now, at thirty, counted already a tried man of counsel and of action.

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Several weeks elapsed before a suitable place was found for landing and erecting shelter; and even then it was only "the best they could find, "—the quiet harbor, within a little bay, upon which Captain Smith had written "Plymouth" on the map he had sketched as he passed that way, putting into bays and examining harbors with businesslike curiosity, six years before. January had come, and the first rigors of winter, before they got to work to put up shelter. Happily, the winter was mild, though icy cold, for all that. The strenuous work and cruel exposure of those first weeks, which wearily lengthened into months ere spring came, and the poor and insufficient food eked out from their scant supplies, brought upon them agues, fevers, scurvy, and all the other distempers that want and exposure bring, and they saw what the settlers at Jamestown had seen of the pitiless power of the wilderness. Before that dreadful season of suffering had passed full half their number were dead, Mr. Carver among the rest, and they had seen a time when there were but six or seven sound persons among them all to care for the scores who were stricken. But they were steadfast, as always. They elected Mr. Bradford governor in the stead of Mr. Carver, and went on as they could with their fight to live. They knew of no place to which to go back, and no one asked to go with the Mayflower when she set sail for England again in April.

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They worked against tremendous odds there on that barren coast; but they wrung a living from it almost from the first, and year by year patiently learned to succeed at the hard thing they had undertaken. It was a great burden to then, that they had had to borrow large sums of money from exacting London merchants to pay for the ship that was to take them out and for the stores she was to carry. They had been obliged to take the lenders into a sort of partnership, and very soon found that they were expected to return a profit almost from the outset, working for a common store as the hapless colonists of the Virginia Company had worked till sheer failure brought them a change of system. It was many a long year before they were able to buy themselves out of that quandary and begin at last a free life for themselves. Additional settlers came out to them in small companies, season by season; but they were not always such persons as they wished for. They were, too many of them, young fellows of an irresponsible and unmanageable sort, "who little considered whither or about what they went." It was not until a full ten years had gone by that the little congregation were able to fulfil their long-cherished hope and bring over from Leyden considerable numbers of their old-time comrades in exile; and before that time came Mr. Robinson, their beloved pastor, whom they had most desired, was dead.

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They were not a little troubled, and even endangered, moreover, by helpless or unmanageable neighbors: bands of Englishmen of one sort or another,—some mere adventurers, others sober and earnest but not fit for the grim work of making homes or winning a livelihood in a wilderness such as that was,—who came to attempt settlements, or trade with the Indians, on the great Bay of Massachusetts near by. Sometimes it was necessary in mere pity to succor these people; sometimes it was necessary very summarily to check them or drive them off, lest they should make irreparable mischief with the Indians.

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Despite every difficulty, nevertheless, Mr. Bradford's indomitable colonists made their foothold secure at Plymouth; worked themselves free from the London partnership; found how to get good crops, and what sorts of crops to get, out of the unwilling soil; established fisheries upon the near-by coasts, and trading posts here and there among the more distant Indian tribes,—one as far away as Kennebec, in Maine. The "Council for New England," which represented the new company established in England to control and develop these northern coasts once included in the Virginia grants, was very glad to encourage these their unexpected colonists at Plymouth, and sent a liberal charter out to them by the very first ship that came from England after the return of the Mayflower; and when they were ready to ask for more privileges,—as, for example, for leave to set up a post on the Kennebec,—very promptly gave them what they asked for. By the time their old friends from Leyden came to them, in 1630, they had reason to feel secure enough in their new home, and had only their neighbors to fear,—only the past to sadden them.

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It was at first only unruly or shiftless English settlers who gave them cause for uneasiness; but they had not been, long at Plymouth before they were given reason to think about the Dutch also, as jealous neighbors and rivals who might cause them serious annoyance, if nothing worse. A very cordial treaty of alliance between England and Holland had been concluded when King James died, and his son, the first Charles, came to the throne, in 1625; and there was likely, for the present at least, to be peace and good will between the two peoples. But there was no telling how long it would last, and the Dutch were meanwhile growing very numerous and strong on Hudson's River. The treaty with England had, indeed, seemed to give the Dutch West India Company fresh heart for their enterprise in New Netherland. They immediately despatched thither an active man as governor, and began to erect warehouses and batteries of good stone masonry at "Fort Amsterdam" on Manhattan Island, where guns could command some portion of the great bay of the North River and the approaches to the great river itself very handily. The scattered families at Fort Orange and on the South River, at Fort Nassau were brought together for greater strength and security at Fort Amsterdam, and there were presently close upon three hundred settlers there, so busy with their labor and trading that before two years had gone by under the new governor (1628) they had sent home, in two ships alone, sixty-one thousand guilders' worth of timber from the forests, and of furs bought from the northern Indians. Mr. Bradford and his people at Plymouth set up a trading post some twenty miles to the southward on Buzzards Bay, but it turned out that the Dutch could beat them there; for it was chiefly on Long Island, which the Dutch controlled, that the wampum was to be obtained which the Indians accepted as money, and the Plymouth traders were at a serious disadvantage without it. They were cut off from the lucrative fur trade of the North River, and were every way pushed very hard by the shrewd Dutch traders.

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The governors of the rival colonies exchanged very courteous letters, and the secretary of New Netherland was sent on a visit of ceremony and good will to Plymouth; but even in this friendly correspondence there were prophetic hints of something less gentle and peaceable. Bradford called Governor Minuit's attention to the fact that the Dutch were settled within the limits of grants made by the English crown to the Virginia Company, and that their right to be there might some day be called in question; and Minuit replied, very spiritedly, "As the English claim authority under the King of England, so we derive ours from the States of Holland, and will defend it." No doubt, too, the secretary of the Dutch colony was sent upon his visit of courtesy as much to see how the English fared and report upon the strength of the Plymouth settlement as to carry messages of good feeling. It is from him that we learn what the pilgrim colony looked like in that early day, when it was but seven years old (1627): how a broad street, it might be eight hundred feet long, ran up the hill straight from the landing place in the harbor, and was crossed midway by another street, with four cannon in the open place at the crossing, and the governor's house close by upon the upper corner; how the houses, all of good hewn plank, stood in their little gardens ranged at intervals along the streets, and stockaded against attack; and how, crowning the hill, there stood a square building, large and very stoutly made, on whose top, as on a platform, there were six cannon placed, to command from their elevation the country round about and the harbor below, and within which was their place of meeting and of worship. They went always to church in military array, he said, their captain commanding, and laid their arms down close beside them while they worshipped and heard the sermon. They remembered their sojourn in Holland with much gratitude, and accorded the Dutch secretary a hearty welcome. But it was likely that New Amsterdam and New Plymouth would be keen rivals, nevertheless, and no love lost between them in the long run.

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Authorities on the history of New Netherland and New York in the seventeenth century. The first volume of John Romeyn Brodhead's History of the State of New York gives the history of the Dutch period in a narrative of unusual dignity, lucidity, and fulness. The second volume brings the narrative down to 1691. Edward B. O'Callaghan's History of New Netherland, in two volumes, is a careful and detailed narrative of the Dutch period only. Mr. John Fiske, in his Dutch and Quaker Colonies, sketches the whole length of New Netherland and New York history in his well-known broad and lucid way, with a wealth of incidental illustrative detail. William Smith's History of the Late Province of New York from its Discovery to 1762 is contained in the Collections of the New York Historical Society. Bancroft and Hildreth both sketch the history of New York in tolerably full outline in their general histories of the country.

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The sources of New Netherland and New York history are to be found chiefly in E. B. O'Callaghan's Laws and Ordinances of New Netherland, 1638-1674, and in the same author's Documentary History of the State of New York; in the fifteen volumes of E. B. O'Callaghan's and Berthold Fernow's Documents Relative to the Colonial History of the State of New York; in the Memoirs of the Long Island Historical Society; in the Publications of the Hakluyt Society; in Sainsbury's Calendar of [English] State Papers, Colonial V.; in Stedman and Hutchinson's Library of American Literature; in the Appendix to Read's Henry Hudson; and in the Records of New Netherland from 1653 to 1674, edited by Berthold Fernow.

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Authorities on the history of New Plymouth in the seventeenth century. John Gorham Palfrey's History of New England (1492 '774) and Compendious History of New England (1497-1765), the former in five and the latter in four volumes, are the standard general histories of the group of colonies of which Plymouth was the first. Mr. J. A. Doyle, in the second volume of his English Colonies in America, gives an excellent account of the Plymouth colony in the modern critical method. Mr. John Fiske sketches its history in his Beginnings of New England. Bancroft and Hildreth set it forth at some length in their histories. Mr. F. B. Dexter gives a brief critical sketch of it in the third volume of Winsor's Narrative and Critical History of America.

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The original sources of the narrative are to be found, for the most part, in William Bradford's History of the Plymouth Plantation, always admirable for its accuracy and good temper, which brings the account down at first hand to 1647; in the Plymouth Colony Records; in the Collections of the Massachusetts Historical Society; in Alexander Young's Chronicles of the Pilgrim Fathers and Chronicles of Massachusetts; and in Stedman and Hutchinson's Library of American Literature.

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For accounts of the general Puritan movement in England of which the Plymouth emigration formed a part, see the references following Section III. of this chapter.

Part 3: The Massachusetts Company

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THE business of both Church and State had altered very ominously in England during the eventful years which brought James's reign to a close and gave Englishmen their first taste of Charles's quality. The air had filled with signs of revolution; and it was one of the most serious of these that the Puritans, who had once been merely champions of pure doctrine and a simplified worship within the Church, had now become a political party, and were trying to put a curb upon the King in every matter. At first they had thought that they might reform the Church, which they loyally loved, by the slow and peaceable ways of precept and example,—by preaching the new doctrines of Calvin, and by systematically simplifying the worship in their churches until they should have got the forms and notions of Rome out of them altogether. Elizabeth taught them that that was impossible while she was queen. Her harsh measures hardened their temper, and made them a distinct and active party: first for concert within the Church; now at last for concert also in matters of state, because the times had changed.

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James had come to the throne and grievously disappointed them; and Charles, after him, had turned out to be not even a serious opponent of Rome itself. In 1618, while James was yet king, the terrible Thirty Years' War had come, that mighty struggle between the Protestant and the Roman Catholic states of the Continent, which threatened to tear away the very foundations of liberty and of national life, should the papacy prevail; and yet Charles had married a Roman Catholic princess, and showed himself as ready to make bargains with Roman Catholic as alliances with Protestant princes. Moreover, he was as indifferent to the political rights of his subjects as he was to their Protestant opinions. When his Parliament, disapproving his policy, refused to vote him money, he levied taxes without their consent, and seemed determined to break as he pleased every understanding of the constitution. The salvation of the Church and the salvation of the liberties of England he made to seem one and the same thing: for he would respect neither law nor opinion. And so the chief Puritan gentlemen of the kingdom became politicians, and filled the House of Commons with men of their way of thinking, grimly determined to make a single piece of work of the purification of the Church and the maintenance of liberty. Charles found no way to be rid of their protests except to do without a Parliament altogether; and to that at last he made up his mind. He dismissed the Parliament of 1629, resolved to have done with Parliaments. For eleven years he kept his resolve. No Parliament was summoned; money was raised without warrant of law; and the government was conducted entirely as he willed.

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It was in that way he brought a great revolution on and lost his head, for he was dealing with men who could not safely be defied. But for the moment he seemed master. The first shock of such events was enough to dismay men who were lovers of law and of right, who had intended no revolution, who had meant to fight tyranny only by legal process and in behalf of privileges acknowledged time out of mind. Even stouthearted men lost hope for a little, and thought their cause undone in that dark year 1629, when they saw their leaders in the King's prisons, and the King masterful and hot against all who dared so much as protest. And so a new exodus began, not to Holland this time, but direct to America,—an exodus not of separatists, of whom the law had already made outlaws, but of those sober Puritans who had remained in the Church, and had been its hope of reform.

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A company had been formed among them for the purpose of attempting a settlement in America even before the end of all Puritan hopes had seemed to come. Lands had been purchased from the Council for New England in March, 1628, and a party of settlers had been sent out that very summer under John Endecott, a blunt, passionate, wilful man, hard to deal with, but more efficient than any other the company could find, and more likely to succeed. He chose Salem, not far within the northern cape of the great Bay of Massachusetts, as his place of settlement; and when a large body of new settlers were sent out to him the next summer he and his people were ready for them, with houses built and crops ripening. That same year, 1629, the company in England obtained a charter from the crown, and assumed a new Importance and authority as "The Governor and Company of Massachusetts Bay in New England."

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There could have been no better time to get recruits for a Puritan colony,—not mechanics merely, and such humble folk, or men out of employment, but people of substance also, who would give themselves and their fortunes to the enterprise, in the hope that they might at any rate find freedom of conscience, and establish a free state in America. Most of those who entered the company meant also to become its colonists. The company itself, therefore, was transferred over sea, its governor and council themselves taking ship to the colony they were to govern. There was not to be a "Governor and Company of Massachusetts Bay" set up in London to rule and dispose of a distant colony, as the Virginia Company had ruled Virginia. It was to have its seat where it had its possessions. It kept still a group of its incorporators in London, organized for the management of its financial interests; and the law officers of the crown no doubt for a time deemed these the council of the company itself. But they learned presently that they were not. The real rulers of the new colony had no mind to conduct their business in London in open courts under the eye of the King and draw all the talk of the town upon then, as the Virginia Company had done, to its undoing. There was nothing in their charter which prescribed where the councils of the company should meet. They made bold, therefore, to take their charter and all the business done under it with them to America. More than seventeen ships and a thousand colonists got away from the western and southern seaports,—Bristol, Plymouth, Weymouth, Southampton,—in the spring and summer of 1630, Mr. John Winthrop, a man of gentle breeding, of education, of private means, and of the high principles of the best Puritan tradition, a man trained to the law, and, what was much better, schooled in a firm but moderate temper, sweet yet commanding, going out as governor to supersede Endecott. Thomas Dudley went as his deputy, a man cast in another mould, and of another type, a doughty Puritan soldier who had served under Henry of Navarre; an uncompromising partisan, more man-at-arms than statesman.

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Want and disease had done their accustomed work among Endecott's people before the new governor and company reached the Bay. Mr. Higginson, who had written them from Salem scarcely a year ago that "a sup of New England's air was better than a whole draught of old England's ale," was hardly able to stand to preach to them when they landed, a fatal fever having taken hold upon him. It was necessary to separate at once and begin other settlements where Mr. Winthrop's people might prepare shelter for the winter. As soon as possible, therefore, places were chosen. Watertown, Roxbury, Boston, Dorchester were begun, and the preparation of Charlestown, already begun before their coming, was pushed forward,—all places far within the Bay, where groups of sheltering islands shouldered out the heavier seas, and harbors were quiet. But the work was sadly belated. Autumn had come and was gone before much could be accomplished. A full hundred of the immigrants lost heart and went back with the ships to England. Winter found those who remained short of food and still without sufficient shelter, and want and disease claimed two hundred victims among them. Even the ships they despatched hastily to England for corn brought very little when they came again, for grain was scarce and dear at home also.

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With the spring came health and hope again, as always; but bad news, too. Those who had returned home disheartened had spread damaging reports about the colony, not only telling of the sore straits it was in to live, but also declaring that Mr. Winthrop and his people had openly repudiated the Church of England and turned separatists, like the people at Plymouth. It was difficult to quiet these reports, because they were practically true. It was not easy to explain away what had undoubtedly been done. Both the immigrants with Mr. Endecott at Salem and those who had come with Mr. Winthrop had left home members of the Church of England: Puritans and reformers, indeed, but still not separatists, and publicly professing a warm loyalty for the mother Church. "We esteem it an honor," they had said, as they uttered their final partings at Yarmouth, "to call the Church of England, from whence we rise, our dear mother." "We shall always rejoice in her good, . . . and while we have breath sincerely desire and endeavor the continuance and abundance of her welfare, with the enlargement of her bounds." And yet Endecott had hardly begun his settlement at Salem before he took counsel with Mr. Brewster and other leaders at Plymouth, and rearranged both the worship and the government of his church after their model. Mr. Winthrop's people had done the same. Those who protested and showed themselves unwilling to accept the new ways of church government were compelled either to conform or return home to England. The whole thing looked like the carrying out of a deliberate plan made beforehand to get rid of the Church as well as of the government of England: to set up a separate church along with a separate commonwealth.

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They could hardly say that it was the necessary result of their removal to a distant continent; for the numerous body of Englishmen long ago settled in Virginia had done nothing of the sort, though they maintained their own churches. The Virginians had remained staunch supporters of the Church as it was at home. Their own assembly had passed strict laws to enforce the accustomed discipline of the English Church and to protect its forms of worship. It could not be said that they did not love their freedom as much as the settlers at Plymouth and the Bay loved theirs. They were glad enough to have an ocean between them and the bishops, did not hesitate to discard the surplice, simplified their worship as they pleased, and took leave to make very free use of the opportunity to rule thee own affairs. But they loved none the less the ancient Church in which they had been bred, and they meant to maintain it.

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Virginia had been planted before the full warmth of the Puritan temper had made itself felt in England, when it was esteemed a reproach to be called a separatist, and a proud duty which went along with a man's allegiance to hold fast to the standards of the nation's Church. Virginia had been recruited, too, as she grew, not out of a special class like the Puritans, with a cause at their hearts, but out of the general body of the English people, in whose lives and thoughts the disputes which grew so keen from year to year within the Church played very little part. They had brought their religious beliefs and their forms of worship with them to Virginia as habits in their blood, unseparated and undistinguished from their English citizenship. The new settlers on Massachusetts Bay, on the contrary, had been selected out of a special class. They were men bent for conscience' sake upon setting up a particular standard of their own both in church and in state. They had a deliberate plan from the first to withdraw themselves from the general body of Englishmen and establish in America what should seem to them "a due form of government, both civil and ecclesiastical." "God sifted a whole nation that He might send choice grain out into this wilderness," one of their own preachers said. They tried to explain away their novel proceedings when they wrote to persons of influence at home; they tried to persuade even themselves that they were not separatists, but only a distant and necessarily distinct fragment of the Church of England, of the form which they hoped and expected to see that great Church some day assume; but they were, in fact, founding a separate establishment which denied the authority of the mother Church altogether.

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Virginia had slowly grown to a population of five thousand while the Puritans organized their company and transported it to America. Virginians bore themselves very much as Englishmen did everywhere. There was nothing peculiar about them except their hardihood, as of frontiersmen, and their knowledge of how life was to be managed and set forward in a wilderness. It had not made much difference among them that the Virginia Company was dissolved and the colony put into the hands of the King. For the first four years that followed the change no assemblies were summoned, it is true, and they were ruled by the governors and the governors' councils whom the King appointed. But the governors chosen by the King during those years were men of their own number, their trusted friends, already experienced in their affairs, men whom the company also had employed. Leading men of the colony were appointed to the council also. The general interest was consulted, though there were no elections. Before a governor not to the people's taste was put over them the old practice of calling assemblies had been resumed. Virginians wished their individual rights to be left untouched, and watched their government narrowly to see that it did not impose upon them; but their life went well enough, and they were not disposed to seek radical changes either in church or state.

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They were not settled in close groups, and were not always discussing their common affairs, as men do who live together in towns or organize themselves in compact neighborhoods for business. There was no real town in the colony, except Jamestown. The homes of the colony were scattered through wide neighborhoods along the margins of the rivers, which flowed broad and deep and from every quarter, the natural highways of the place. Each planter farmed as much of the fertile land as he could; but he planted little for sale except tobacco. His tobacco he shipped away in vessels which came to his own wharf and the wharves of his neighbors to be laden. It was not hard to live in that genial climate. Great clearings had at last been made; the sun had been let wholesomely in to take the feverish vapors of the forest off, and the land had begun to yield health as well as abundance. Secluded country churches were the neighborhood gathering places of the colony, for talk as well as for worship. Planters made their way to Jamestown down the rivers in their own boats, or through the quiet paths of the forest on horseback, to be present at the gathering of the assembly, or to attend the quarterly meetings of the governor's council, at which lawsuits were heard and determined. It was all a leisurely way of life, and was not apt to bring changes rapidly about so long as the King suffered them to enjoy their reasonable liberty as Englishmen and did not put men who wished to rule overmuch into their governor's chair.

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New Netherland grew also, in a way which might have looked to a chance visitor very like the growth of Virginia. The Dutch West India Company had found that if they kept to the plan with which they had begun, they could not hope to make anything more than a mere trading station out of their slow-growing settlement at Fort Amsterdam. The council of the company, accordingly, determined to offer large tracts of land to any one who would send over at his own cost fifty adult settlers, with stores and equipment—and with the land extraordinary powers of independent control, which should constitute the owner a sort of feudal prince as "patroon" and lord of his estate. The offer had in it the enticing prospect of dignity and power and safe wealth, such as the landed gentry of Holland had time out of mind enjoyed and the merchants of the towns had envied them as long, and some were tempted, as the company had hoped. Some rich men did bestir themselves to send settlers over, and great stretches of the best land on both the North and the South rivers of New Netherland were presently made over to private owners. It was no easier, however, for private individuals than it had been for the company to bring the land successfully under cultivation, or to establish settlements which would thrive and endure; and the new way of building up the colony went as slowly as the old. Many of the new proprietors failed; only a few succeeded. The most notable of the estates which were actually peopled and established was that of Kilian van Rensselaer, the wealthy jeweller of Amsterdam, which stretched for miles upon either bank of the North River in the fertile region far up the stream where the company's Fort Orange stood, and where the heart of the fur trade with the Indians was.

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Even where this new way of growth succeeded, however, it was in fact very different from the slow and natural spread of broad plantations in Virginia, where no man was by law more privileged than another. The Dutch farmers and peasants who slowly filled the estates of the patroons with tenants were not like the free yeomen of the southern colony of the English. They were just as little like the New England colonists to the northward. Among these settlement had still another way of growth. They did not develop by the slow spreading of private estates along the river valleys. The New England valleys were not fertile; the rivers were not deep or broad enough to be the highways of the colony. The sort of government the Puritan settlers wished to maintain, moreover, would have been almost impossible had the people not kept together in close groups for common action and worship. The governor and company who ruled Massachusetts Bay governed there very watchfully in the midst of the settlements, and took care to know the men to whom they made grants of land. Sometimes they made grants to individuals for special services or liberal contributions to the company's funds; but usually they gave land only to bands of settlers who meant to form communities, and who were under the leadership of persons whom the governor and his associates trusted. The new settlers of each locality owned their lands jointly, as if they were a corporation. Their "town meeting" determined what portion each individual among them was to have for his own use. No other settlers could join them unless admitted by their town meeting to the partnership. All local affairs were managed by officers whom the town meeting elected. Each town, the newest no less than Salem or Charlestown or Roxbury or Boston, was its own mistress, except when matters which the company determined in the common interest were to be acted on.

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In each town there were "selectmen" chosen to administer the general business of the town; constables to keep order; cowherds to take the cattle to the common pasture, keep them there while their owners did their tasks through the day, and bring them back at sunset; swineherds to drive the swine to their feeding and return them save in the evening; a hayward to catch stray beasts and keep them fast till they were claimed: a man for each simple duty. The swineherd made his way along the village streets early in the morning, sounding his horn, and every man who had swine brought them out to him at the summons to join his noisy procession, going forth to the woods for their feeding for the day. The cowherd took all his lowing charges to pasture from a common pen, to which their owners brought them in the grey of the dawn, and was charged to be back with them ere the sun should set. The town meeting decided all things, small and great. It did not hesitate to order in what way the houses should be set and roofed and distributed along the street, and their gardens disposed about them. In Newtown the freemen ordered by vote that all houses within the village "be covered with slate or board, and not with thatch," and that they be built so that they should "range even" and stand just six feet from the street. Every freeman and proprietor of the village had his vote in the meeting, and deemed himself self-governed when it governed him.

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The government of the colony as a whole was by no means so democratic. The "company" governed; and the company consisted only of those who were admitted as "freemen" by its own vote. At first there were only twenty such among all the thousand settlers at the Bay, and twelve of these twenty were the officers of the company. By slow degrees the number was enlarged; but the company was very reluctant and very cautious about increasing its membership. Four years went by before there were so many as three hundred and fifty "freemen," and by that time there were more than three thousand settlers. The new and very severe rule was adopted that no one should be chosen a freeman who was not a member of some one of the churches of the settlements. In England every subject was reckoned by law a member of the Church of England; but in Massachusetts men became members of the churches only by profession of faith and upon a searching examination in matters of doctrine and worship. Those who did not hold the strict creed of the Puritan ministers, being excluded from the church, were excluded also from voting. "The best part is always the least," was Mr. Winthrop's sententious doctrine, "and of that best part the wiser part is always the lesser."

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The rule of doctrine and church authority did not stop with a restriction in the number of freemen who should vote in the company's general court. Men were fined, whipped, sentenced to have their ears cut off, or banished the colony altogether for speaking scandalously of either the church or the government. Several who had come to the Bay before the Massachusetts Company was formed were so put upon and sought out for prosecution by their new masters, the magistrates of the company, for their refusal to conform to the new practices in matters of worship, that they finally resisted to the length of bringing sentence of banishment upon themselves, or voluntarily took themselves off to escape the searching tyranny. It was a very rigorous government, under which only those could live and be at ease who professed and proved themselves Puritans; and common men suffered more than gentlemen, after the manner of the age, so that it seemed an aristocratic as well as an ecclesiastical establishment.

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The King and his ministers over sea did not fail to observe how the company made its colony a stronghold for the obstructive Puritans. The temper of Charles's government grew harsher and harsher during those first years of settlement at the Bay, and became as meddlesome and tyrannical in the management of the Church as in the management of the State. In 1633 he had made Laud Archbishop of Canterbury. Now he was backing the implacable primate in a thoroughgoing and pitiless attempt to clear the Church of all Puritans and nonconformists. Laud was quick to see what comfort the rapidly growing colony at Massachusetts Bay gave his enemies, and complained very hotly that it was filling up with persons openly hostile to the King's government. Certain persons connected with the old Council for New England, jealous of the prosperous company at the Bay, with its independent royal charter, easily persuaded the all-powerful archbishop, and through him the law officers of the crown, to take steps to destroy it; and in 1635 the blow came. A judgment was obtained against the Massachusetts charter in the court of King's Bench; the government of the colony was declared transferred into the King's hands, as the government of Virginia had been, and orders were issued which authorized the despatch of a governor-general, to be accompanied, if necessary, by an armed force. Mr. Cradock, who presided over the company's financial board in London, had been summoned by the imperious primate and by my lord Privy Seal to come before them for an explanation, and bring the charter of the company with him; and had been rated very roundly as an "imposturous knave" when he declared that it had been sent over sea with the colonists. But the spiriting away of its charter had not been allowed to stay the judgment against the company.

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The magistrates at the Bay, when the ugly news reached them, came to the desperate resolution to resist by force. But troubles in England saved them. Their charter was, indeed, in law annulled, but the judgment was not carried out. The King's purse was empty. His subjects were very slow about paying the illegal taxes he demanded of them. Signs of revolution were growing more and more frequent, more and more open and ominous. Charles could not afford to send an expensive expedition out to New England, and was much too anxious about things at home to think very often about the little group of troublesome settlements across the sea. Mr. Winthrop and his associates, accordingly, lived quietly on under their forfeited charter, as if nothing had happened, and admitted no one they did not like to the partnership.

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An introduction to the various phases of the Puritan movement in England, which led to the Puritan exodus to America, may be got in G. H. Curteis's Dissent in its Relation to the Church of England (the Bampton lectures for 1871); in David Masson's Life and Times of Milton; in D. Neal's History of the Puritans; in Samuel R. Gardiner's History of England from the Accession of James I., volumes I. and IV. ; in the second volume of J. R. Green's History of the English People; in G. E. Ellis's Puritan Age and Rule ; and in the second volume of J. A. Doyle's English Colonies in America.

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The leading general authorities on the history of Massachusetts in the seventeenth century are John Gorham Palfrey's History of New England (1492-1774) and Compendious History of New England (1497-1765); J. A. Doyle's second and third volumes on The English Colonies in America; John Fiske's Beginnings of New England; S. R. Drake's The Making of New England; and Justin Winsor's Memorial History of Boston.

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Glimpses of some of the most important special aspects of Massachusetts history are to be had in W. B. Weeden's Economic and Social History of New England; Charles Francis Adams's Three Episodes of Massachusetts History; and Herbert B. Adams's Germanic Origin of the New England Towns, published in the first volume of the Johns Hopkins University Studies in Historical and Political Science.

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Most of the important original sources of Massachusetts history are brought together in John Winthrop's History of New England, edited by J. Savage and The Life and Letters of John Winthrop, edited by R. C. Winthrop; in the Collections and Proceedings of the Massachusetts Historical Society; in Alexander Young's Chronicles of Massachusetts ; in the Records of the Governor and Company of the Massachusetts Bay; in Peter Force's Tracts and Other Papers relating to the Colonies in North America ; in the Publications of the Prince Society; in the papers of the American Antiquarian Society; and in the New Hampshire Historical Collections.

Part 4: The Province of Maryland

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IT was a thing for statesmen to take note of, and all to wonder at, how Englishmen of all sorts and creeds began to think of America, and to desire homes there, when once it had become evident that Virginia and Plymouth and the Massachusetts settlements were certainly permanent, and colonization no mere scheme of the foolhardy. There were others besides the Puritans who felt uneasy at home in England because of the troubles in church and state and the threatening face of affairs. For men who loved novelty and adventure, life in the New World had always a charm which even direst hardship could not take away; but such men were nowhere in a majority, and it was not mere love of adventure that made the English swarm to America. It was the spirit of liberty and of mastery. It was the most spirited men who were the most uneasy in those evil days of the Stuart kings; and because they were cramped and thwarted and humbled at home they thought the more often and the more wistfully of the freedom they might find in America. Virginia had been planted and had thriven, it is true, before there was this sting of uneasiness to drive men over sea. She had been created because of the spirit of trade and of conquest, the impulse of international rivalry, the love of gain, and the capacity for independent action which had come to Englishmen in the stirring sixteenth century; and it was, after all, that "ancient, primitive, and heroic work of planting the world" which was to prove the permanent motive of English success in America. But now, for the time being, there was added to the high spirit of mastery the unquiet spirit of discontent, and America reaped a double harvest.

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It happened that Roman Catholics felt almost as uneasy as Puritans. James, it was true, had proved himself no Presbyterian, after all, and Charles had put Laud at the head of the Church, as if to carry it back as far as possible towards Rome, if not all the way to Rome itself. But it needed no seer to perceive how the temper of the nation darkened at sight of these things, and no thoughtful Roman Catholic could find sound reason to hope for a long period of toleration. America would no doubt prove a freer place for Roman Catholics as well as for Puritans, and their exodus began the very year Laud became primate. It was for them that Maryland was founded by Cecilius Calvert, Lord Baltimore. It was a scheme he had inherited from his father. Sir George Calvert had been a very noticeable figure when James was king. He had stood in the Commons, alongside Wentworth, his friend, as spokesman for the King, whose intimate companion and devoted servant all knew him to be, facing Sir Edwin Sandys there, to whom the House had looked for leadership since it began to fear that James meant some deep mischief to the liberties of England. There was much to admire in his courtesy, his tact and moderation, his unobtrusive devotion to affairs. He had none of Wentworth's striking initiative and vigor, and showed a modesty, gentleness, and acquiescence in the service of the court which seemed mere weakness to those who looked on; and yet he was greatly trusted and won deep esteem. The opponents of the crown in Parliament thought him servile, and suspected him of being corrupt, like the rest of the King's agents; but those who knew him said that he acted upon conviction in making choice which side he should take, and both in public and in private bore himself like a man of honor.

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In the last year of the reign he had resigned his offices and withdrawn from the King's service, while still in his prime. He had become a convert to Roman Catholicism, had committed himself with the energy of real conviction to bringing about the marriage of Prince Charles to the princess of Spain, and would not draw back to please either the prince himself or great Buckingham, because he deemed both the cause of Catholicism and the plighted word of England, given in solemn treaty, involved in the project. His position at court had become untenable, and he withdrew both to save his interest and to give candid expression to his religious convictions. James had created him Baron Baltimore at parting, as a special evidence of his good will, and then Calvert had turned to devote himself to plans of colonization. He had been a large subscriber to the funds of the East India Company, had become a member of the New England Company, and had served on the commission appointed in 1624 to wind up the affairs of the great Virginia Company. As far back as 1620 he had interested himself in colonizing schemes of his own, while he was yet in the midst of affairs,—before Plymouth was founded. He had bought an extensive tract of land lying on the southern peninsula of Newfoundland; had put colonists upon it; and when he turned from holding office under the King, had himself gone to reside among his settlers.

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But a single year in that rigorous climate, with its icy cold from October to May, convinced him it was no place in which to build a colony, especially with the French near at hand to be reckoned with, in addition to the weather. The French upon the near-by coasts had not forgotten how Captain Argall had put in at their struggling settlements and burned them, scarcely ten years ago, carrying off cattle and settlers alike as his prize of private war, and meant to have no English for neighbors if they could find means to drive them off. Calvert had stayed his year out at "Avalon" only because his ships were as heavily armed and better handled. The bleak land with "a sad fare of winter" upon it, which let no blade of herbage appear in the earth, nor any fish even in the sea, for close upon eight months together, seemed hardly worth fighting for.

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He turned his thoughts southward, therefore, and in 1629,—the very year Parliaments ceased to sit and the Massachusetts people got their charter,—asked King Charles to grant them lands on either side the great Bay of Chesapeake, close by Virginia: from the Potomac northward and eastward, across the Bay, to the fortieth degree of north latitude and the river and bay of Delaware. All this was land granted long ago to the Virginia Company; but the Virginia Company was dead; the King had resumed his sovereign rights with the withdrawal of its charter-cared very little whether he twice granted the same thing or not,—and was Calvert's friend, as his father had been before him. The Virginian colonists were hot against the grant, and many influential persons in England, who seemed to hope still to see the old Virginia Company revived, protested to the Privy Council against it. But though they held the matter off for a year and a half, until Calvert was dead, they did not prevent it. The charter was issued in 1632, and Cecilius Calvert, the second Lord Baltimore, carried out his father's plans in his father's spirit.

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It had been evident from the first that George Calvert had meant his colony to be, among other things, a place of refuge, freedom, and safety for men of his own faith. There had long been stories afloat in London how he had carried Romish priests with him to Newfoundland, and had celebrated mass there every Sunday. He had named his colony there Avalon because it was at Glastonbury, which men had once called Avalon, in old Somersetshire, that the Church of Rome had first set up her altars in Britain. The colonists whom Cecilius Calvert sent out to Maryland late in the autumn of 1633 were by no means all Romanists, but probably quite half of them were; and Jesuit priests, who had covertly come aboard after the ships left the Thames, went with them to act as their spiritual leaders and preceptors in the New World. Protestants and Catholics, however, consorted very comfortably together on the voyage and after the landing. It was no part of Lord Baltimore's purpose to be a proselytizer and make converts of all whom he sent out, and he was too cool and prudent a man to wish to set up a colony to which none but Roman Catholics should be admitted. He knew very well how all England would soon be talking and protesting about such a colony as that, should he attempt it. He meant only to make a place so free that Roman Catholics might use full liberty of worship there no less than Protestants, for he knew that there was as yet no such place in America.

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His colonists reached their new home in March, 1634, and chose for their place of settlement a high bluff which rose upon the eastern bank of a little stream which emptied itself into the great Potomac but a little way from the Bay. The mighty Potomac, flowing silent between its wide banks there in the lonely wilderness, made a deep impression on them. "The Thames, compared with it," they said, "can scarcely be considered a rivulet. It is not rendered impure by marshes, but on each bank of solid earth rise beautiful groves of trees, not choked up with an undergrowth of brambles and bushes, but as if laid out by the hand, in a manner so open that you might easily drive a four-horse chariot In the midst of the trees." It was this broad and stately stream which was to be their boundary line, separating them from Virginia. Lord Baltimore called his province Maryland, in honor of the queen, and the first settlement there on the bluff they called St. Mary's, in honor of the Virgin.

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It was a very bitter thing to the Virginians that they should be obliged thus to give up all the fair region of the upper Bay to these new-comers, whom they disliked equally as intruders and as papists; and feeling ran so high among them against Lord Baltimore's people that they deemed it an intolerable sort of treason for any man to speak so much as a kind word concerning them. They knew that they might themselves once have had all the Bay for the taking, and now the King had granted it away forever. They had, indeed, established a trading outpost on Kent's Island, which lay within reach of the spreading stream of the great Susquehanna, the noble river which brought its waters to the Bay all the long way which lay between Virginia and the forest haunts of the mighty Iroquois at the north,—the forests whence the rich furs came which all the continent coveted. Mr. Clayborne, who was of the governor's council, had interested himself to make commerce there with the natives; and Mr. Clayborne, with his good estates and high credit in Virginia, his influential commercial connections in London, his indomitable will and strong relish for action, was an ill man to oust. He insisted not only upon his own rights of property in the island, which no man of Lord Baltimore's interest would have denied or interfered with, but also upon Virginia's jurisdiction over it. There could be no questioning the fact, nevertheless, that the island lay within the King's new grant; and though Mr. Clayborne begged aid of the Privy Council at home, and even put arms into the hands of his servants to keep his own by force, it was of no avail. The King's grant made Lord Baltimore master, and Mr. Clayborne had to stomach as best he could the unpalatable necessity of submitting.

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Maryland's settlers had come to stay, and yearly spread and multiplied; and the Virginians in due time let their anger cool. Singular good fortune and provident good management made them secure from the first against any starving time such as there had been at Jamestown, or any bitter struggle to live and make a beginning. They had found an Indian village at St. Mary's where they landed, long established and set in the midst of open fields cultivated and ready for the plough. The Indians whose home the place had been freely sold them both its wigwams and its fallow clearings, for a few hatchets and hoes and a little cloth. Before the white men came they had resolved to quit the region, to be rid of fear of the Susquehannocks, the terrible Iroquois neighbors whose inroads made peace impossible. Here were cornfields ready for the planting, therefore, and the very first autumn of their stay in that wide wilderness the new colonists had grain enough to send a shipload to New England, to be exchanged for salt codfish. The Virginians, for all they hated them, did not refuse to sell them cattle and swine at a profit; and want was not an enemy they needed to reckon with.

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Maryland turned out another Virginia in its ways of life and government. In form, indeed, its government was very different. The King had no direct authority there. Lord Baltimore was made by his charter literally proprietor of the colony,—a sort of feudal prince, from whom, and not from the King, all titles and all authority were to be derived. He was empowered to confer rank even, and set up a kind of nobility, should he choose; and though his charter obliged him to submit such laws and regulations as he might think best to impose upon his province to the approval of the freemen of the colony, or their deputies, "called together for the framing of laws," that need have restrained him little more than the King was restrained by the Parliament at home. He could create manors,' also, with their separate courts, and proprietors as independent, almost, as the barons of old; and as the colony grew he did bestow here and there, upon a few of the richer men among his colonists, these greater gifts of privilege. The King had meant to reproduce in him the ancient powers of the stout churchmen who had kept the northern border against the Scot, and had had their separate sovereignty, as if of independent princes, for reward, making of their majestic cathedral on the high banks of Wear—

"Half house of God,

Half castle 'gainst the Scot."

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He was to have, said his charter, "as ample rights, jurisdictions, privileges, prerogatives, royalties, liberties, immunities, and royal rights as any bishop of Durham within the bishopric or county palatine of Durham, within our kingdom of England."

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But, notwithstanding his power was so great on paper, he did not in fact use it to give the colony a character apart. Assemblies of the freemen met and made terms with the proprietor in Maryland as they had met and made terms with the company in Virginia. At first, while all the settlers were still within easy reach of St. Mary's, there were no elections. The freemen came themselves instead of choosing representatives. It was only by slow degrees that a system of elections was established. But in the end things were arranged there very much as they were arranged in Virginia, in matters of government no less than in matters of daily life. There were broad rivers in Maryland as in Virginia, and ships traded from wharf to wharf upon them as in the older colony. There were few villages and many spreading plantations. Virginians might have felt that there was practically little difference between their own colony and Lord Baltimore's, had they not seen Roman Catholics enjoy rights of worship there which were not granted them in Virginia. Virginians were expected to observe the ritual and order of the Church of England. Only in Maryland was there freedom in such matters, and the freedom there made Virginians feel, uneasily, that Maryland was in some unlawful way a Jesuit and papist refuge, which would bear jealous watching. The two colonies might speedily have forgot their differences but for that.

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Authorities on the history of Maryland during the seventeenth century. The most trustworthy general authorities are John Leeds Bozman's History of Maryland (1632-1660); William Hand Browne's Maryland: the History of a Palatinate; John V. L. McMahon's An Historical View of the Government of Maryland; the first volume of J. A. Doyle's English Colonies in America; William T. Brantly's English in Maryland, 1632-169%, in the third volume of Winsor's Narrative and Critical History of America; Edward D. Neill's Terra Mariae ; Bancroft and Hildreth's general histories; and the excellent monographs scattered here and there in the nineteen volumes of the Johns Hopkins University Studies in Historical and Political Science.

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The more important original sources are to be found in the Maryland Archives, edited by W. Hand Browne; in the Fund Publications of the Maryland Historical Society; in Bacon's Laws of Mary land; in Peter Force's Tracts and Other Papers relating to the Colonies in North America; in W. Hazard's Historical Collections, Consisting of State Papers and Other Documents: and in Stedman and Hutchinson's Library of American Literature.

Part 5: The Expansion of New England

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WHILE Maryland was being established, a county palatine, and Virginians accommodated their life and temper to the intrusion, affairs moved with strong tide in New England, and the whole face of the country was changed for the English, the Indians, and the Dutch alike. During the ten years 1630-1640, the first ten years after Mr. Winthrop's company came to Boston, a great and ever-increasing immigration poured steadily in at the Bay. These were the years during which there was no Parliament in England, the years during which the government at home seemed most intolerable, and the Puritan colonies in America most inviting, to all Englishmen who took their politics and their religion seriously. No fewer than twenty thousand people came within that single decade to seek homes in New England. In 1634 fourteen ships came in at the Bay with settlers in the single month of June, and the next summer eleven came in in a single day. In 1638 three thousand immigrants arrived within a space of three months. There could be no pause in events while such a tide was running.

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Most of the new-comers found the Bay settlements altogether to their liking, and made their homes there very contentedly. They did not object to the strictness of the church government set up by the masterful rulers of the Massachusetts towns, for they were themselves Puritans almost to a man, and liked very well to see their own opinions made compulsory. It did not incommode them that the sterner ministers of the settlements made bold to imitate his Grace of Canterbury and silence those who differed with them. It was an age "when every sect demanded tolerance, yet none had the generosity to grant it," and it was very comfortable to dwell with your own sect.

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There was a great deal besides the church in New England,—a great deal to make the novel life in the wilderness stirring and interesting, and worth taking part in. The government, it was true, tried to regulate everything, just as the government at home did: made laws as to what wages should be paid to laborers, what prices should be charged by the merchants; prescribed what uses the farmer should make of his corn, how the fisheries should be conducted, and the fur trade with the Indians carried on. But it was not so easy to enforce such regulations as it was to make them. Fishermen fished in the open sea, upon a long coast, where there were few magistrates; fur traders carried on their barter with the Indians in the depths of the forest; merchants quietly took whatever purchasers were willing to pay; farmers used their land as they thought most profitable and advantageous; and the simple life of the colony was freer than life in England, after all.

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There was not a little uneasiness and disquiet, nevertheless. These stirring, austere, uncompromising Puritans, who had crossed the sea to live in a wilderness rather than submit to Laud and the King, were not likely to be all of one mind, or always submissive to one another when they differed; and within less than five years after Mr. Winthrop's first company had established themselves at the Bay signs of a partial breaking up began to appear. Each town was a sort of little commonwealth, and every town followed its minister, if he was of the mettle to lead. Some came from one quarter of the old land which had bred them all, some from another, some from quiet hamlets or rustic country-sides, some from busy towns; and each group, choosing its own place of neighborhood and settlement, kept its own flavor of local habit. And not the flavor of local habit only, but its own favorite views, also, it might be, upon questions of doctrine and polity, or its own strong preferences as to liberty of worship. Congregations had and kept their several characters; the politics of the growing commonwealth sprang out of their differences; and their ministers were their politicians. The Reverend Thomas Hooker, of Newtown, and the Reverend John Cotton, of Boston, were, in those firstdays, the most notable men among all the ministers of the colonies. Laud had picked both of them out as heretics specially to be feared and disciplined; they had been obliged to make their escape very secretly from England, and had been welcomed at the Bay with a special satisfaction and distinction of greeting upon their landing, in 1633. They were both scholars, and both orators whom it moved men to hear; but they were of opposite views and unlike tempers in dealing with affairs. It was observed after Mr. Hooker was settled at Newtown "that many of the freemen grew very jealous of their liberties." The men of Watertown, nearby, ventured to protest very strongly against being taxed for a fort to be built at Newtown, notwithstanding it was meant to serve in case of need against a common enemy; and it was not doubted that Mr. Hooker's very liberal opinions in matters of government had spread to them, and inclined them thus to press their independence. He was very downright, very formidable in debate; Newtown was contesting with Boston the right to be considered the capital and centre of the Bay settlements; the freemen of the lesser towns looked to it for leadership, and found Mr. Hooker clear in counsel and fit to lead.

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Mr. Cotton's views were much more to the liking of the magistrates. "Democracy," he said, "I do not conceive that God ever did ordain as a fit government either for church or commonwealth. If the people be governors, who shall be governed?" He had, moreover, "such an insinuating and melting way in his preaching that he would usually carry his very adversary captive, "a man less rugged than Mr. Hooker, more fitted to charm, the mystical power of a poet and the winning force of an ardent evangelist set forth for all to see in his fine eyes, his ruddy countenance, his locks of chestnut brown, his carriage as of a man sure of his mission and of his mastery. The magistrates generally invited him to preach, accordingly, at every crisis in affairs, to the freemen or to the courts which were to decide what to do, and he had presently such an ascendency "that whatever he delivered in the pulpit was soon put into an order of court or set up as a practice in the church." The Newtown people; who deemed Mr. Hooker no less a master of wise speech and sound doctrine than Mr. Cotton, and Mr. Haynes, their chief citizen, as worthy to be governor as Mr. Winthrop himself, or Mr. Dudley, one or the other of whom the freemen seemed determined always to choose, grew jealous of a government which seemed to lie so entirely with Boston. They found the combined government of church and company itself a little burdensome. The water, too, at their wharves was too shallow, the soil on their fields too thin, and they were straitened for lack of meadow. Interest, pride, and opinion were very subtly compounded in their disquietude, and neither soft words nor harsh could rid them of it.

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They were too loyal and too prudent to wish to disturb the peace and order of the colony by insisting too strenuously or too hastily upon having their own way; but they did not dissemble their discontent, and asked leave of the company's government to remove to another place of settlement. There was not a little alarm and opposition when it was learned that they wished actually to go outside the Massachusetts grant and establish themselves entirely apart on the distant Connecticut. But it became evident very soon that their spirits were too strongly bent upon their new purpose to be restored to ease or contentment where they were. Moreover, the same desire to get away began to show itself elsewhere,—in Watertown and Roxbury and Dorchester; and, with great bodies of new settlers constantly coming in, there seemed no conclusive reason why they should be held, unwilling, within the colony. Though the matter had to be fought through long debates and many delays, therefore, the magistrates at last felt themselves constrained to grant Newtown's petition; and the people of Watertown, Roxbury, and Dorchester chose to consider themselves included in the permission. The three years 1635-1637 saw a notable migration begin. By the spring of 1637 there were fully eight hundred settlers on the banks of the Connecticut and on the shores of the Sound below.

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Dutch seamen had discovered the Connecticut so long ago as 1614, when the Virginia Company was still young, and the Massachusetts colony not yet thought of. They had explored also the shores of the Sound below, and both river and Sound had seen their trading boats pass often to and fro these many years. The Dutch had seen the English multiplying fast at Plymouth and the Bay of Massachusetts; had realized that they must be quick to secure what they had discovered and meant to claim; had formally purchased a tract of land from the Indians at the mid-course of the Connecticut; and at last, just before the English came, had built a little fort there to mark their possession, placing it at the fine turn of the river to which, as it fell out, Mr. Hooker also and his congregation from Newtown were presently to take a fancy. The Dutch agent in charge had hardly got further in his first work there than the throwing up of an earthen redoubt or two and the planting of a couple of small guns, and had but just named his post "Good Hope" (1633), when the English began to come. Men from Plymouth came first, to build a trading post, and then there followed these congregations from the Bay, as careless of the rights of the Plymouth men as of the rights of the Dutch. When once their coming had begun they crowded in faster and faster, closer and closer, despite every protest. Not many years went by before they were ploughing the very piece of land upon which the little Dutch fort stood, saying that it was a shame to let good bottom soil lie idle.

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Governor Winthrop had sent word to Van Twiller, the Dutch commander at Fort Amsterdam, that he must not build upon the Connecticut. It lay, he said, within the territories of the King of England. But Van Twiller had replied that he held the lands upon the river by as good a title, in the name of the States General of Holland and the authorized West India Company. "In this part of the world are divers heathen lands that are empty of inhabitants," he had pleaded, "so that of a little part or portion thereof there need not be any question." The tide of English immigrants swept in, nevertheless: a few from Plymouth, a great many from the Bay. The Dutch blustered and threatened and protested; but they did nothing more, and were soon outnumbered and surrounded. "These people give it out," reported a Dutch sea-captain returned from the river, "that they are Israelites, and that we at our colony are Egyptians." They called their own countrymen in Virginia the same. It was their mission to set up Puritan commonwealths. Those who were not of their faith and order of living were but a better kind of heathen whom they hoped either to oust or to keep at a safe distance.

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In 1635 settlers from Watertown began to build upon the river, six miles below the Dutch at Good Hope, at a place which they presently called Wethersfield. The same year Dorchester people came and sat themselves down beside the little group of protesting Plymouth men at Windsor. There were men in England as well as at the Bay who had cast their eyes upon the valley of the Connecticut as a place to be desired, and they also chose this time to make ready for planting a colony. Lord Say and Sele, Lord Brooke, and others, men of consequence, friends and correspondents of the gentlemen at the Bay, had obtained a grant of lands upon the lower Connecticut and upon the shores of the Sound, as far east as the river of the Narragansetts and as far west as they chose, so long ago as 1631, from the Earl of Warwick, President of the Council for New England; and chose this very time of the migration from the Bay to make their claim good. In 1635 they sent out John Winthrop the younger, the Bay governor's genial and capable son, as governor in their name "of the River Connecticut with the places adjoining," and close upon his heels sent Lieutenant Lion Gardiner, a stout soldier bred to war, like so many another, in the service of the Low Countries, to build fortifications which should make them sure of whatever Mr. Winthrop might occupy. Mr. Winthrop made no serious trouble for the new settlers already come from the Bay. The action of their lordships his employers was friendly, not hostile; his own temper was easy and accommodating; Lieutenant Gardiner was detained at Boston a little while to assist with his expert advice at the construction of fortifications on Fort Hill, ere he went on to the Connecticut; and the fort which he built at the river's mouth when at last he went forward on his errand, though stout enough to guard the place against all comers, was used only to keep the Dutch off. That very year, 1636, Mr. Hooker came with a hundred settlers from Newtown and joined some pioneers who had gone before him and planted themselves, as most unwelcome neighbors, close alongside the Dutch at Good Hope, calling their settlement Hartford.

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It had been no easy matter to struggle through the dense tangle of the almost pathless forests all the long ninety miles which lay between these new regions and the Bay. There were household goods and stores to be carried; there were cattle to be fed and driven all the long way; there were women and children to be thought of and spared; and those who made the hard journey spent weeks of weary travelling and lonely camping in those vast forests, which seemed to spread everywhere without border or any limit at all. Even boats could not be expected to make the journey round about by sea unless they chose their season; for when winter came the river was apt to be choked with ice. But these Puritans were not men to be daunted, as the Dutch found to their cost. The journey was made again and again and again, by party after party, as if there were no obstacles which even the women need dread.

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Uneasy congregations were not the only people to quit the Bay in that day of eager movement, when men came by the thousands out of England; and the Connecticut was not the only goal of the new emigration. Many a man, many a family who found the rule of the Massachusetts magistrates over irksome, turned their eyes southward and went the shorter journey, of but a little more than forty miles, which carried them through Plymouth's grant of lands into the country of the Narragansetts beyond, where deep rivers and a spreading bay, dotted with inviting islands, made an open way to the sheltered seas of the great Sound below. These shores and islands soon became a place of refuge for all who were specially thrust out from the Bay settlements for errors of life or opinion, and for all who voluntarily quit the austere churches there in search of an absolute individual freedom, such as was not to be had even with Mr. Hooker on the Connecticut. Roger Williams had led the way thither in 1636, the year Mr. Hooker went to Hartford. Mr. Williams was a man whom his very enemies were constrained to love, when they had hearts under their jackets,—even while they sincerely condemned his opinions. He had come to the Bay almost as soon as Mr. Winthrop himself, in February, 1631, in a ship which put in weather-beaten amidst a great drift of ice; and, though a mere youth, had given the magistrates trouble from the first. He was only the son of a merchant tailor of London; but nature had bestowed upon him gifts of mind and tongue which put him in a way to succeed as he pleased. He had become protege and friend of the great Lord Coke, had got his training at Cambridge, and then had turned his back on all "gains and preferments in universities, city, country, and court," for the sake of absolute liberty of conscience and belief. He would no more accept what he did not believe at the Bay than in England. He upbraided the congregations there which had not openly separated from the Church of England; he denied the validity of the colony's charter, saying that the Indians alone, and not the King, owned and could grant the land; and he declared that magistrates had no rightful power except over a man's body and goods, and were wrong when they tried to command what men should believe and how they should worship.

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The magistrates at the Bay could not permit such views as these to be preached and keep their authority. Mr. Williams had a most tender and outspoken conscience upon all things, and was often enough a mere "haberdasher of small questions," as Mr. Cotton said in tart jest; but he raised great questions too, and his reasoning as often as not struck at the very foundations of the curious structure of government the Puritan magistrates had been at such pains to rear. They were in effect separatists, if you but looked at them front the other side of the water; and yet they did not suffer their several churches and congregations to select or maintain what doctrines and practices they pleased. Synods ruled opinion, magistrates enforced their conclusions and their discipline, and Mr. Cotton, set high in the Boston pulpit where the chief men of the government were his disciples and parishioners, was a sort of bishop and primate of the churches. The masters of the Bay had no mind to let Mr. Williams speak or teach as he pleased. And yet it was five years before they made up their minds that he must be expelled from the colony. He was so gentle, so sweet-tempered, so ready to reason calmly with those who differed with him, so awkward to worst in an argument, so passionately loved by all his friends, so mildly hated by most of his foes, that they hesitated again and again what to do. It was unquestionable, nevertheless, that he kept the minds of the Salem people, to whom he preached, in something very like an attitude of rebellion towards the governing authorities of the colony; and at last he was driven out, obliged to fly secretly, even, lest they should seize and send him back to England. Undoubtedly he bred discord and contention wherever he went. He had lived for two years at Plymouth, to escape persecution at the Bay, before the final breach came; and even there, where they were inclined to be almost as liberal as he in matters of opinion, he had made trouble. "A man godly and zealous," the kindly Bradford had pronounced him, "having many precious gifts, but very unsettled in judgment." And so he became a fugitive, and went with four devoted companions, in the midst of bitter winter weather, deep into the icy forests to the southward, to find covert for a sensitive conscience beyond the grants of the crown.

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And then, almost immediately, he was able to do the men who had banished him an inestimable service. That very summer (1637) war came,—war with the bold and dangerous Pequots, the Indian masters of the Connecticut and the shores of the Sound; and nobody but Roger Williams could have held the Narragansett tribes off from joining them to destroy the settlements. A hostile union and concerted onset of all the tribes, effected then, as the Pequots plotted, might have meant annihilation. There were but five thousand Englishmen, even yet, scattered in the settlements, and such a rising put everything at stake. The Narragansetts occupied the lands which lay between Plymouth and the valley of the Connecticut. Mr. Williams had been much among them while he lived at Plymouth; had learned their language, and thoroughly won their liking. Their keen and watchful eyes had seen how true and frank and steadfast he was, and how sincere a friend. They had given him lands very gladly when he came among them a fugitive; and now they hearkened to him rather than to the fierce Pequot chiefs, whom he faced at the risk of his life at their very council fires. The magistrates of the Bay had begged his intervention, and he had undertaken it cheerfully. Such was the generous nature of the man.

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The Pequots had grown very hot against the English crowding in. No Englishman's life was safe anywhere, upon the river or the Sound, because of them through the anxious winter of 1636-1637. Men at Lieutenant Gardiner's little fort at Saybrook hardly dared venture forth for fuel or forage. When summer came, therefore, the settlers set themselves ruthlessly to exterminate the tribe. A single bloody season of fire and the sword, and the work was done: the braves of the tribe were slain or driven forth in little despairing groups to the far Hudson in the west; the few women who survived were taken and made slaves of. The terrible business cleared all the river valley and all the nearer regions by the Sound, and English settlers began to pour in again with a new heart.

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Massachusetts had lent her aid to the annihilation of the tribe, but the Connecticut towns had begun the deadly work unaided. Until then Massachusetts had maintained a formal oversight, an unbroken assumption of authority among them; but now (1637), being clearly outside the Massachusetts grant, they took leave to hold a General Court of their own and assume independent powers. They had, indeed, no grant themselves, either of land or of authority, from the crown; but there were no King's officers there in the quiet wilderness, and they would not, for the present at any rate, be molested. For two years (1637-1639) they acted without even formal agreement among themselves regarding the method or organization of their government, choosing and obeying their magistrates, electing and holding their assemblies, according to their habit before they came. But in 1639 they adopted a formal constitution, which they called their "Fundamental Orders." Mr. Hooker's liberal temper showed itself very plainly in the principles by which they resolved to be governed. "The foundation of authority is laid in the free consent of the people," he had said, preaching to them from Deuteronomy, 1. 13 ("Take you wise men,—and understanding, and known among your tribes, and I will make them rulers over you"); and it is best that it should he so, for "by a free choice the hearts of the people will be more ready to yield" obedience. This was the principle of the Fundamental Orders. Their governor was always to be a member of some approved congregation; but any man might be a freeman and voter and fill any other magistracy whose town admitted him to be a resident, without test of doctrine or church membership; and the freemen were to elect the deputies by whom the laws of the colony were to be made in General Court.

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The churches at the Bay had found very promptly that they could ill spare Mr. Hooker from their counsels. They had sent for him, indeed, at a very critical juncture in 1637: when the ministers needed all the support they could get against a single masterful woman in Boston. Mrs. Anne Hutchinson had come to the colony in 1634, to be near Mr. Cotton once more, whom she had been used to hear and love in old Boston, in Lincolnshire, where, until Laud drove him from the kingdom, he had been minister of stately St. Botolph's. At first she had seemed only a very energetic and helpful woman, with an engaging earnestness and eloquence which gave her a noticeable preeminence among her sex in the little town; but before two years were out she had set the whole colony agog. She undertook to preach in her own house, and before her day of exile came both men and women were crowding in to hear her. Great and small alike felt the woman's singular charm and power. The whole colony knew before long how many persons of parts and wit had become her partisans,—how many magistrates, gentlemen, scholars, soldiers. Even grave Mr. Winthrop, though he heartily disliked her doctrine, shielded her from criticism. Young Mr. Harry Vane, the most distinguished and engaging youth that had yet come to the colony, whom all had loved from the moment of his landing, and whom the freemen had chosen governor within six months of his coming, though he was but twenty-four, was openly of her party. But only Boston, after all, was within reach of her power. Elsewhere men knew only her opinions; and they were rank heresy. She taught mystical errors touching the Holy Ghost which no church of the colony could accept. She even claimed, it was said, direct revelation to herself. The council to which Mr. Hooker was summoned roundly condemned her opinions. It had hardly done so before it began to look as if the woman's partisans would bring not only ineradicable mischief into the churches, but also disorder and contempt of authority into civil affairs. Boston men who were of her party refused to enlist for the Pequot war. That year, accordingly (1637), saw very peremptory action taken. Mrs. Hutchinson was commanded to quit the colony by the next spring. She turned, in her exile, like other refugees for opinion's sake, to the Narragansett country, whither Roger Williams had shown the way.

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And then, the Pequots being driven from the forests, and Massachusetts purged of Mrs. Hutchinson's heresies, every one began to think again of the new settlements to the westward and southward, on the Connecticut and the Sound. The tide of immigrants from over sea was still pouring in at the Bay, with no show of slackening. More came in 1638 than ever before. Finding the lands by the Bay already full, hundreds pressed on to the farther shores below. Settlements were presently to he found scattered at intervals, long and short, all the way from Saybrook at the mouth of the Connecticut to Greenwich, built within twenty miles of the Dutch at New Amsterdam: here a group of villages, there an isolated hamlet, set far apart. The Sound itself was crossed, and new settlements nestled here and there within the bays and harbors o the northern shore of Long Island. It was plain enough by what long and steady strides the English were approaching the gates of the Hudson. New Amsterdam grew and throve well enough in a slow way; but new colonists did not come to the Dutch by families, shiploads, congregations, as they came to the Bay. The Dutch saw very clearly what they were to expect. They had already found the English of "so proud a nature that they thought everything belonged to them," and knew very well how aggressive they would be.

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Most of the settlements near the river or the Sound, no matter how deeply buried in the forested wilderness, connected themselves with the free and simple government set up by Mr. Hooker's people at Hartford; but no community or government owned the region more than another, and some chose to keep an independent authority of their own. In June, 1637, a very notable company had arrived at the Bay under the leadership of the Reverend John Davenport,—people of substance, merchants for the more part, the chief men of a congregation Mr. Davenport had served in London. They wished, above all things else, to keep together, make and maintain a separate church and parish for Mr. Davenport, and live their life in a place of settlement of their own. They found what they wanted (1638) within a safe and pleasing harbor on the Sound, which they presently called New Haven. Busy Captain de Vries, putting in at New Haven in June, 1639, found "already three hundred houses and a handsome church" built there. They had been at the pains to erect "fair and stately houses, wherein they at first outdid the rest of the country"; and they soon found their town become a sort of capital for that part of the shore. Almost immediately other settlements sprang up close at hand,—Milford upon the one hand, Guilford on the other, and others still as the years went by. Deeming themselves a group apart, though in the midst of towns joined with the river settlements above them, these associated themselves with Mr. Davenport's people to form an independent government, upon another model. No one but a church member, admitted under the strictest tests of belief, could among them, it was decreed, either vote or hold office. They tried, in their singular stiffness and candor of faith in an absolute and uncompromising Puritan order, for commonwealth no less than for church, to make the laws of the Old Testament the laws of their own political life and practice also, and steadfastly held themselves to the self-denying liberty they had left the Old World to find.

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Settlements grew almost as numerously in the Narragansett country, though not in just the same way. By 1638 some fifty settlers had drawn about Mr. Williams at the place of refuge which he had reverently called "Providence"; and as the other shores of the Sound filled, Narragansett Bay was not overlooked. Colonists crossed the waters of the Bay from Providence, which lay at its head, to the fair island at its seaward end, which the Dutch had named Rhode (Red) Island, because when first they saw it its cliffs showed ruddy in the sun. There Pocasset and Newport were founded. But the settlers on those waters were not like settlers elsewhere. They were people of many creeds and beliefs,—Baptists, dissentient Puritans, partisans of Mrs. Hutchinson,—men and women whose views and practices were not tolerated elsewhere. They came hither, as Mr. Williams had come, to escape being governed at all in matters of opinion. Mr. Williams had spoken, in his catholic tolerance, of "the people of God wheresoever scattered about Babel's banks either In Rome or England." It looked for a little as if the shores of Narragansett were to be the banks of Babel. Men of all creeds made free to establish themselves upon them. They set up very simple forms of government,—for they generally agreed in wishing as little government of any kind as possible,—and yet, how slack soever the authority of rulers among them, they did not find it easy to live together. They were often turbulent; always disposed, upon a disagreement, to break away and live elsewhere in small, independent groups, rather than in strictly organized communities. Mrs. Hutchinson herself, who came to Pocasset when forced to leave the Bay in 1638, did not stay long. Her presence bred disquiet even there, and she soon removed again (1642) to a place on Long Island, within the territory of the Dutch, only twelve miles from New Amsterdam.

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Many of the immigrants who crowded the ships that came yearly in at the Bay came expressly to be with old friends and comrades at Plymouth; and not a few others turned thither also when they had had time to make a choice. Until 1632, which was twelve years after its founding, the single village upon the hill at Plymouth had sufficed to hold all who came; but between 1632 and 1639 the colony was transformed by mere growth. Seven towns were after that to be counted within the Plymouth grant; the government of the colony had been readjusted, and a new code of laws drawn up. A new and more various life had come to the quiet bay. Captain Standish had been the first to set the example of expansion. In 1632 he had crossed the little harbor which lay before the town and had begun to build at Duxbury. Others followed his lead. Villages sprang up in quick succession, both on the shore to the northward facing the open sea, and on the shore to the southward which lay within the sheltering curve of the great arm of Cape Cod. Settlers turned inland also, and began to build at Taunton, full twenty miles and more away in the forest, upon one of the larger streams which ran southward into the bay of Narragansett.

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The Dutch were not slow to see what they must do against the swarming of the English at their doors. The best and only chance for New Netherland, it was plain, lay in pushing her own enterprises very vigorously and multiplying her own population as fast as possible, and so growing too strong to be despised and encroached upon. The great grants of land and privilege offered to patroons had attracted a few rich purchasers, but not many actual settlers. Not many could be found who wished to go to the New World to live under feudal lords more absolute than any in the Old. The company changed its policy, therefore. It offered patroons less and actual farmers more. It arranged to let every settler have land "according to his condition and means," and to give him free passage to the colony; and it opened the trade of the colony to all upon equal terms. French Huguenots, as well as Dutch farmers, even Englishmen from New England and Virginia, came to take advantage of the new terms of settlement. It was no small part of the attraction of the place for the English in New England that there was as complete liberty of conscience in New Netherland as at Providence with Mr. Williams or on Rhode Island. The colony grew steadily, therefore, and in a way to countenance very sanguine hopes.

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But every prospect was marred by bad administration. The place was spoiled by a veritable pest of governors. The company sent out either mere clerks, or else men of questionable reputation and ruined fortunes, to take charge of its affairs. The weak and sluggish Van Twiller, who blustered and threatened but did not act when the English began to crowd in at the Connecticut, was succeeded in 1638 by the no less foolish Kieft,—a good enough agent for business to be done on a small scale and by rote, but incapable of understanding strong and efficient men or any large question of policy; and Kieft brought everything to the verge of utter ruin by his faithless and exasperating dealings with the Indians. He prompted attacks upon them for what they had not done; demanded tribute from friendly tribes who were the colony's best defence against those which were hostile; suffered them to be treacherously massacred when they fled to Fort Amsterdam for succor against the Iroquois; finally brought friend and foe alike to such a pitch of exasperation that they united for a war of extermination. Every outlying farm was rendered uninhabitable; scores of white men were put to death; the nearer English settlements suffered with the Dutch, and all the slow work of peaceful growth was undone. In that fearful year of plunder and death (1643) Anne Hutchinson lost her life, her last refuge swept away with the rest.

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In the South River the very friends of the Dutch played them false. Kieft did not scruple, in 1642, to drive away a body of English settlers there whom the New Haven people had sent doe n to take the trade of the region; but quite three years before that other rivals had fixed themselves on the western banks of the river of whom it was not so easy to get rid. In 1638 Samuel Blomaert, who had but a little while before taken out the rights of a patroon under the Dutch West India Company, and Peter Minuit, who had once been the company's governor at New Amsterdam, set up a colony at the South River under a charter from the King of Sweden, Minuit himself leading the settlers wither, and bringing with him more Dutch than Swedes. And there the colony he established remained, safe at its "Fort Christina," because stronger than the Dutch at their lonely "Fort Nassau." The new-comers cheerfully lent a hand in driving the New Haven men out; but they kept their own foothold; multiplied faster than the men of New Netherland; grew steadily Swedish rather than Dutch in blood; and seemed likely, though neighborly enough for the present, to oust their lagging rivals in good season.

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The principal general authorities on the history of New England during the seventeenth century are John Gorham Palfrey's His tory of New England (1492-1774) and Compendious History of New England (1497-1765); the second and third volumes of J. A. Doyle's English Colonies in America; John Fiske's Beginnings of New England; Justin Winsor's Narrative and Critical History of America, volumes III. and V.; Bancroft and Hildreth's general histories of the country.

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The development of the several colonies which were added to Massachusetts in the Puritan group, and some of the special phases of the growth of the little New England commonwealths, may be traced in detail in Benjamin Trumbull's Complete History of Connecticut, from 1630 to 1764; Samuel Greene Arnold's History of Rhode Island; George W. Greene's Short History of Rhode Island; Edward E. Atwater's History of the Colony of New Haven to its Absorption into Connecticut; Charles H. Levermore's The Republic of New Haven (one of the Johns Hopkins Studies); Hubbard's History of Massachusetts in the Collections of the Massachusetts Historical Society; Peter Oliver's The Puritan Commonwealth: An Historical View of the Puritan Government in Massachusetts; Charles Francis Adams's Three Episodes of Massachusetts History; various monographs in the Johns Hopkins Studies in Historical and Political Science; and W. B. Weeden's Economic and Social History of New England.

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The chief original sources are to be found in the Colonial Records of Rhode Island, Connecticut, and New Haven; the Provincial and Town Papers of New Hampshire; the Massachusetts Colony Records; the Collections of the Historical Societies of Massachusetts, Connecticut, New Hampshire, and Maine; Farmer and Moore's Historical Collections of New Hampshire; the publications of the Gorges Society; the Narragansett Club Publications ; Peter Force's Tracts and Other Papers Relating to the Colonies in North America; the Publications of the Prince Society; John Winthrop's History of Massachusetts, edited by J. Savage, and The Life and Letters of John Winthrop, edited by R. C. Winthrop; and Thomas Hutchinson's History of Massachusetts.

Part 6: The Civil Wars and The Commonwealth

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ON the 19th of May, 1643, commissioners representing Massachusetts, Plymouth, Connecticut, and New Haven, sitting in Boston, made a formal agreement that their colonies should be joined in a confederation for mutual support and defence, under the name of The United Colonies of New England. Mr. Hooker and Mr. Haynes had been urging such a union for quite six years, ever since the synod of churches had sat, in 1637, to draw up its list of heresies and unwholesome opinions In reproof of Mrs. Hutchinson and her supporters in Boston; for the Connecticut towns had no charter of their own, and these prudent gentlemen knew how much they might need the aid and countenance of their neighbor colonies should the time come when their rights were too narrowly questioned,—by the Dutch, for example. New Haven, with her government but just formed, and with as little show of charter rights from the crown as the towns of the Connecticut, was glad to come into the arrangement for very much the same reason. Plymouth and Massachusetts agreed because there was common danger from the Indians all about them and from the French in the north, and because there were awkward boundary disputes to be settled between the several colonies, for whose discussion and peaceful decision it would be well to have some common authority like that of a confederation. Massachusetts, by far the greatest and strongest of the colonies, no doubt expected to rule in its counsels. The other colonies hoped to restrain Massachusetts and hold her back from dominating overmuch.

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That same year, 1643, Roger Williams went to England to get a charter for the settlements in the Narragansett country. It was hard to deny Mr. Williams anything he seriously set himself to get and went in person to obtain, and young Mr. Vane, who had been governor of Massachusetts in Mrs. Hutchinson's day, and who was Mr. Williams's friend, being now returned into England, was one of the "Commissioners for Plantations" whom the Parliament in England had recently appointed to govern the colonies; so that by March, 1644, "Rhode Island and Providence Plantations" had their own separate charter rights, and could assert them upon a footing of equality with Plymouth and Massachusetts. The settlements on the Narragansett waters had been excluded from the confederation formed in Boston because they were thought to be too full of troublesome persons and uneasy politicians to be safe or peaceful partners; but now that they had their own charter they could endure the exclusion without too much anxiety as to how their rights should fare.

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The articles of confederation which gave the Puritan colonies their new union spoke of advice and protection expected from the mother country over sea; but they said nothing of England's authority over her colonies. The contracting parties conducted themselves like independent states, and asked no one's leave to unite. At another time, perhaps, they would have hesitated; but now they had an opportunity that might not come again. England was convulsed with civil war. At last she was reckoning with Charles, the false king, who for ten years had refused to summon a Parliament, and who had seemed from year to year to become more and more openly an enemy of the liberties which Englishmen most cherished, until the slow fire of indignation against him, which had smouldered hotter and hotter the dark years through, burst into flame in Scotland, and men saw a revolution at hand. Even Charles saw then how fierce a tempest had sprung up against him, and yielded so far as to consent to call a Parliament. The Parliament, once called together, assumed a novel tone of mastery. Under the leadership of such men as the steadfast Pym, direct in speech, indomitable in purpose, no revolutionist, but a man whom it was wise for a king who ignored the laws to fear, and Hampden, whom all just men loved because he was so gentle and gracious in his gallant uprightness, the Commons impeached the men who had aided the King's injustice, and proceeded to bring the government back again under the ancient restraints of freedom.

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Charles saw that he must either yield all or else openly resist. He chose to resist; set up his royal standard at Nottingham (August, 1642); called upon all loyal subjects to rally about it for the defence of their king; and so brought civil war and a revolution upon England. Every one knows what followed: how at first the cause of the Parliament seemed desperate, because Pym died and Hampden was slain, and there was no leader in the field who could withstand Prince Rupert; and then how an increasing number of steadfast partisans of Parliament in Norfolk, Cambridge, Essex, Suffolk, and Hertford formed an association, levied troops, and put Oliver Cromwell beside the Duke of Manchester to command them; how Cromwell's horsemen drove Prince Rupert's men in hopeless, utter rout from Marston Moor on a July day in 1644; and then, in June of the next year, at Naseby, repeated the terrible work, and finished what they had begun, to the utter undoing of the King; and how Charles, on a day in May, 1646, seeing his cause desperate, surrendered himself into the hands of the Scots, in order to play the game of politics,—the game of war having failed; knowing that the Scots, who were Presbyterians, would not easily come to terms with Cromwell, whom it would be very hard to bring into any Presbyterian arrangement.

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Three years went by, and the subtile King lay dead upon the scaffold at Whitehall (January, 1649), showing a gentle majesty and steadfastness at the last, though he had not known how to keep faith even with himself and his own friends while he lived. He was not brought to his death by the Parliament, but by the army, and the army did not represent the nation. Cromwell had not put his men to any test of opinion; but in the end it had turned out that the rank and file of the army were, for the time at any rate, "Independents," holding opinions concerning worship and the government of church and state like those which he held, and the strict Puritans who had gone over sea into New England. They were the more likely to hold their opinions stiffly' and without compromise because Parliament, leagued with the leading men of Scotland, was Presbyterian, was jealous of the army's rising power, and wished to disband and send them home without so much as voting their pay. Though Cromwell held them back as long as he could from violent measures, they at last made bold to win by force in their contest with the Commons, and he found it best to lead them. All who were not partisans of the army and of the Independents were driven from the House, and the handful who remained brought the King to his trial and condemnation, and finally to his death at Whitehall, close by the window of his banqueting hall. They were acting for a minority of the nation, but no one dared withstand them.

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With such matters as these to look upon at home, there was no time in England to watch events in the far colonies across the sea. The New Englanders could form their confederation if they pleased without molestation. But if the war gave them freedom of action, it brought other things in its train which were not so acceptable. No new settlers came any more. Men began to return into England instead—ministers to give counsel, as well as soldiers and men of affairs to lend their aid in the field of action. Stephen Winthrop, the governor's son, George Fenwick, of Saybrook, Israel Stoughton, captain of the Massachusetts men sent against the Pequots, and not a few others of general note, entered the Parliamentary army. Edward Hopkins, who had but just finished his term as governor of Connecticut, and Edward Winslow, who had been with the Plymouth people from the first, went back into England to assist in the administration of the navy maintained against the King. Mr. Hooker was begged by letters signed by many chief men of the Parliament to come over and lend his counsel in the task of reforming the Church, but would not go because he saw the Presbyterians so strong in Parliament, and did not wish to be in a minority. It looked for a little as if John Winthrop himself might be drawn into the struggle at home. Mr. Hugh Peter, of Salem, who had been a leader among those who drove Roger Williams forth from the Bay into the wilderness, was among the first despatched to England to give counsel in the Puritan cause; and it was he who "preached the funeral sermon to the King, after sentence, out of Esaias": "Thou art cast out of the grave like an abominable branch, . . . as a carcass trodden under feet…. Because thou hast destroyed thy land and slain thy people." It was a Puritan revolution, and the thoughts and hopes of the Puritans in New England turned eagerly towards the mother country again.

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It was a very serious thing for the Puritan colonies that their rapid growth was thus stopped of a sudden. It meant that no farmer there could any longer get the high prices for his cattle or for his corn, or for any crop he might raise, which he had learned to count on while immigrants poured in; that the value of land suddenly declined; that every trade fell off; that money, always exceedingly scarce from the first, now stopped coming in altogether, for it could come only from England. Some of the colonists lost heart, and hastened to return to England, not to see the wars, but to escape ruin. Some took themselves off to the islands of the West Indies, where, they heard, it was easy to live. Some joined the Dutch at Hudson's River. It required not a little steadiness of mind and purpose, not a little painful economy and watchful good management, to get over the shock of such changes and settle down to make the best of the new conditions. Happily the colonists were not men to be dismayed, and had made too good a beginning to fear actual failure. Massachusetts, with her four counties and thirty towns, her fourteen hundred freemen, her organized militia, her educated clergy, and her established leadership among the colonies of the north, was ready to stand upon her own feet, with a little practice; and the other colonies, on the Connecticut and on the Sound, had proved themselves from the first to be fit to live by struggle. Massachusetts had even established a college of her own, and was no longer entirely dependent upon the universities at home to supply her clergymen and her gentlefolk with an education. The General Court had begun the setting up of a proper school in 1636, had changed the name of Newtown, where the school was placed, to Cambridge, in order that it might seem to the ear a more suitable home for it, and, two years later, had called the little college Harvard, in honor of the young clergyman who, dying in their midst (1638), had bequeathed to it his library of two hundred and sixty books, and a few hundred pounds, the half of his modest estate. The doughty little commonwealth had already learned in no small degree how to be sufficient unto herself.

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Only Virginia reaped any sort of direct material benefit from the civil wars. Her people were not Puritans. They were drawn from the general body of Englishmen who believed in the sanctity of the Church and of the crown, at the same time that they loved their own liberty and did not mean to be imposed upon by any man's power, whether in church or state. Perhaps they did not know how much they were attached to the established order of things in England until those days of revolution came; for until then they had been very easy-going in church discipline, and very tolerant indeed of differences of opinion, acting untrammelled and without too much thought of uniformity, as if in the spirit of the free wilderness about them; for they were men picked out of every rank and class, followed no one opinion, lived in separated houses, and looked every one chiefly to his own business. But when they heard of what was happening over sea in England they knew their own minds very promptly, for they looked upon disloyalty as a thing not to be separated from dishonor. Their assembly, when they learned of the King's death, flatly declared it an act of treason, the more impudent because brought about under the forms of law, and resolved that it was the right of Charles, the dead monarch's son, to he king in Virginia "and all other of his Majesty's dominions and countries." They were led in their hot defiance by their governor, Sir William Berkeley, who had come to them by the King's appointment the very year Charles set up his standard at Nottingham (1642). A bluff, outspoken man was Sir William, bringing with him to the rural colony the gallant, thoroughbred airs of the court, and standing square to his opinions and traditions. But the frank and genial humor of his ordinary moods gave place to very hot and stubborn passion when he saw how things went against the King at home, and it was he who led the Burgesses in their defiant protests against the revolution.

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The King's partisans in England, when they found things grow too desperate for them at home, were quick to perceive that Virginia was their natural and safest place of refuge, and her open countries began slowly to fill with exiled Cavaliers. The tide-water counties began to get a new character with this fresh infusion of rich blood, and Virginia grew while New England stood still.

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But it was not safe for Virginia, for all she was so far away, to defy the Puritan government at home. For, the fighting in England over, and the intrigue that centred about the King ended, the Puritan leaders were masters of the kingdom. Even Sir William Berkeley swallowed his mortification and submitted when an armed frigate came into the river (1652) with commissioners on board whose orders were to reduce Virginia to obedience to the commonwealth, and who had the promise of all necessary force to sustain them in what they did. The real temper of the colony was not as fierce as the tones of the Burgesses' resolutions had been when they condemned those who had killed the King. There was a singular mixture among the Virginians of loyal sentiment and stubborn, matter-of-fact independence in all practical matters. The rank and file of them, though Church of England men in religion, had in them a dash of hard-headed sagacity very like the circumspect caution of the Puritans themselves,—a way of seeing the wrong time to fight and the right time to make terms. They saw as well as other men the necessity to bow, at any rate for the present, to a government which had Cromwell at the head of its forces,—and Sir William Berkeley accepted the course of prudence with the rest. The commissioners, fortunately, were men who knew the colony, and they came with instructions which prescribed in a very generous spirit what they should do. It had been one of the first acts of the Long Parliament to grant again to "the Adventurers and Planters in Virginia" the old charter rights which James had annulled, and to permit the old Virginia patent to be taken out again under the broad seal of England; and its commissioners were instructed accordingly. They did not oblige Virginia to receive a governor at the hands of the Parliament; they simply ousted the King's men, and put the government into the hands of the Burgesses, the people's representatives. Until 1660 Virginia was to rule herself, practically as she pleased, herself a commonwealth, subject to the greater commonwealth over sea.

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She was very well able to take care of herself. Her neighborly counties held already more than fifteen thousand thrifty English people,—and more, a great many, were being added now that ships were fast coming in full of the fugitive friends of the King—sixteen hundred, once and again, in a single company. Twenty thousand cattle grazed upon the broad pastures which sloped green to the margins of the rivers, as well as great flocks of sheep, and, in the deep woods, swine without number. Ships passed constantly in and out at the rivers,—from Boston and New Amsterdam, as well as from London and Bristol, and the home ports of Holland. Though many in the colony ate from rich plate and were wealthy, the well-to-do were not much better off than the humble, after all, for no man needed to be very poor where there was such abundance for all. It was a democratic place enough, and the poor man's small beer went down with as keen a relish as the rich man's wine. The rough, disorderly ways of the early days of settlement were past, and were beginning to be forgotten now. Virginia had acquired some of the sober dignity and quiet of a settled commonwealth. Her clergy had often, at first, been as rough fellows as those not of the cloth, who came to Virginia to have leave to live as they pleased, and had been no help to religion; but now men of a better sort began to rule in her churches, and to sweeten her life with true piety. She could fare very well upon her own resources, whether in church or state. The Parliament's commissioners had made rules under which any reasonable man could live. Any who pleased might drink the King's health within doors, at their own boards, if they did nothing against authority out-of-doors. Speech was not to be throttled, men's sentiments were not to be too curiously looked into. The exiled royalists who came steadily in, seeking a refuge, need sacrifice nothing but what they had already given up. Their very flight was confession of defeat; here in Virginia defeat might seem less bitter, though the necessity to obey Parliament and the Lord Protector was not less imperative.

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In Maryland, Virginia's neighbor, things wore a much harder face because of the revolution. The Parliament's commissioners were friends of Virginia, and had dealt very lightly with her, but they felt no kindness for Maryland. Before their coming the little province had had its own taste of war. Late in 1644 William Clayborne, seeing his opportunity, had seized Kent Island again, from which Lord Baltimore had driven him at the first setting up of his government; and in February, 1645, one Richard Ingle, master of the armed ship Reformation bearing letters of marque from the Parliament, put men and arms ashore and seized St. Mary's itself. The Reformation was one of eight ships the Parliament had commissioned to bring food, clothes, arms, and ammunition to the province "for the supply and defence and relief" of the planters who were of its party against the King; and those who bore the commission used their power with little scruple. Master Ingle, in particular, had the strong stomach for adventure and for his own gain which comes to roving sailors in a lawless age, and a spirit of mastery which was his own. Ships out of Bristol carried the King's commission to take ships out of London; ships out of London the authority of the Parliament to take all craft out of Bristol, and every man acted for his party and himself. "It pleased God," Ingle said, "to enable him to take divers places" from the papists and malignants, "and to make him a support to the well affected"; and it was close upon two years before Leonard Calvert found himself strong enough to bring a force out of Virginia and reestablish his brother's authority. The government of the province had not been destroyed, the while, but there had been a sad time of disorder and reprisal; partisans of the proprietor and of the King had seen their affairs shamefully handled; and the men who ruled had governed as if upon an exigency in a day of revolution. And then, six years later (1652), the parliamentary commissioners came, and William Clayborne was one of them. At first they thought it best to make the same moderate use of their power in Maryland that they had made of it in Virginia, and simply confirmed its government as it stood, content that it should be conducted in the name of the Commonwealth in England; but they thought themselves warranted in keeping their authority under their commission from the Paliament, and two years later asserted it again to effect a revolution, because they saw the proprietor likely to regain control of his province. They assisted (1654) to put the government of the colony into the hands of a group of Puritans who had made a settlement there, and for a time,—until Cromwell himself intervened to give Lord Baltimore his rights again,—the distracted province was ruled very rigorously by a masterful minority.

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The Puritans who were thus made masters had most of them come out of Virginia. For a little while they had maintained their congregations unmolested, almost unnoticed, in Virginia, in the quiet lower counties below the river and near the Bay; but Berkeley had driven them out when he grew hot against the Puritan revolutionists in England, and they had made a new home for themselves in tolerant Maryland, where not only custom, but a formal Act of Toleration, drawn by the proprietor's own hand, made them safe against molestation. They did not use their own power gently, however, when the parliamentary commissioners gave them control of the government of the colony; and called to gether an assembly of their partisans to support them. They repealed the Act of Toleration, and no more suffered any man to differ with them than Laud had permitted Englishmen at home to differ with him before the revolution, or than the Puritan Parliament had tolerated dissent from its purposes since. For three years they had their own way in all things, and the province was no better off for their handling when the courts in England at last gave it back into Lord Baltimore's hands, in 1657.

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The new government in England meant to maintain its authority in the colonies and at home no less steadily and effectively than the old government of the King had done, and Cromwell, when he became lord Protector, proved a more watchful master than Charles had ever been, as well as a more just. But Massachusetts took leave, because it was a government of Puritans and her own friends, to practise a little more openly the independence in the management of her own affairs which she had all along meant and contrived to maintain. She very promptly dropped the oath of allegiance to the King when she heard that the Parliament had broken with him (1643); and now, when a commission which the Parliament itself had set up sought to dictate to her, though it had explicit authority "to provide for, order, and dispose all things as it saw fit" in the management of the colonies, she boldly declared that she thought it her right to govern herself without interference or appeal, so long as she remained obedient and faithful to the government at home in all things that affected Englishmen everywhere.

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She took occasion, while things went their new way, to set her own government in order (1644),—between Mr. Pym's death and the day of Marston Moor,—while England was too much distracted to know what sort of government she herself had. The Bay government was not a comfortable government for any man to live under who was not a Puritan. The magistrates stood behind the ministers of the congregation to enforce their judgments in matters of morals, as well as to fulfil the law's commands in every ordinary matter of government. The discipline of life which was thus imposed upon all alike, of whatever age or estate, made the little commonwealth a model place of steady work and clean living. Nowhere else in the world would you hear so few oaths uttered, or see so few idle or drunk or begging. The magistrates watched the lives and behavior of their people very diligently, and no man who did not live decently and reverently could long escape their punishment or rebuke. The weak and the sensitive suffered very keenly under their rigor, and those who were naturally gay and of high spirits found it very irksome and painful to be always on their guard not to jest too often or amuse themselves overmuch. Sometimes the reason of a high-wrought nature here and there would break down under the burden of stern doctrine and colorless living put upon it by church and state. But the strong and naturally grave men who predominated in the staid towns found it a fine tonic to be so governed, and were confirmed in their strength and self-control. In 1648 they drew more sharply than ever the lines of the church's right to rule, in a formal platform adopted, in synod, at Cambridge. The authority of the clergy was given clear definition of law; the power of the magistrates to coerce all churches which should "walk incorrigibly or obstinately in any corrupt way of their own," was affirmed more definitely than ever; and the ecclesiastical polity of the New England churches was declared to be such a "Congregational" establishment as should in no wise be confounded with any of "those corrupt' sects and heresies which showed themselves under the vast title of Independency." This "Cambridge platform" the General Court submitted to the congregations and the several congregations adopted. Henceforth no man need doubt what compulsion of worship and belief he must live under there.

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New Haven and Connecticut could have admired the orderly peace and prosperity of Massachusetts more if they had found her juster and more generous in the part she played in the government of the confederation. In that they deemed her selfish. The colonies had an equal vote in the council of the confederation, but were obliged by the articles of their union to contribute to its expenses, not equally, but in proportion to their population, which threw much the heaviest burden upon Massachusetts. She, therefore, opposed all occasion of expense in matters in which she was not herself particularly interested. She would not vote to help New Haven get redress for the injuries which the Dutch had done her in the South River; she absolutely refused to take part in levying war on the Dutch when the other commissioners of the confederation voted it, when England herself was at war with the Netherlands; and she demanded tolls upon all goods brought from the other colonies into Boston, because the confederation sustained Connecticut's right to charge tolls at the mouth of the Connecticut River. It seemed a profitless partnership enough to Plymouth and Connecticut, but most of all to New Haven, which had suffered most from the Dutch.

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The New Haven men were merchants, and had not forgot their purposes of trade when they came from London with Mr. Davenport to seek a place where they might worship as they pleased. They had chosen the quiet southerly harbor at which they had settled because of its outlook upon regions of trade, north and south, within the forests and along the coasts which spread about them; and it had come close upon ruining them to lose all that they had laid out upon the settlement on the South River of New Netherland which the Dutch had destroyed. Nothing seemed to prosper with them. While they yet waited and hoped to get redress from the Dutch, they laid out a full thousand pounds upon the fittings and freight of a vessel to be sent into England, with some of their chief men on board, to obtain both trade and a charter in the mother country; and had cut the ice in their harbor at midwinter in their haste to get her out. But they never saw the ship again, nor any that went out upon her. One June day, indeed, in 1649, while a vague mist lay upon the bay, there suddenly appeared the form of a ship upon the water, with all her tackling, and her sails set, "and presently after, upon the top of the poop, a man standing with one arm akimbo under his left side, and in his right hand a sword stretched out towards the sea. Then from the side of the ship which was from the town arose a great smoke, which covered all the ship, and in that smoke she vanished away." For as much as a quarter of an hour the crowd upon the beach, both men and women, gazed steadfast upon the phantom; and many deemed when it was gone that they had seen their lost craft and treasure. That same year, 1649, they turned again to the commissioners of the confederation with their urgent prayer for forcible redress against the Dutch,—and got nothing. Massachusetts again declined to lend her assistance, and war between England and Holland blew off before it came to actual conflict between the Dutch and the English in America. New Netherland began to show itself stronger than ever under a new governor,—no very wise man, but much better than Van Twiller and Kieft and the rest of the foolish men who had preceded him.

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Peter Stuyvesant had been sent over as governor In 1647. He made an odd figure with his wooden leg, marvellously contrived with bands and ornaments of silver, and the sly burghers of the simple-mannered New World made a jest of his pretentious way of carrying himself by calling him their "grand Muscovy Duke." But he moved about among them with a certain show of force and dignity, for all that, if he did have to limp at the business, and he made men understand at least that he was a person to be obeyed. He was quite as truculent and violent of temper and arbitrary as Kieft had been before him; but he was much more efficient, and was able to come to an understanding with his neighbors, both on the Sound and within the South River. In 1650 a treaty was at last agreed upon with the English which fixed the boundaries between their settlements and the Dutch, reserving on the Connecticut itself only the fort of Good Hope and the little plot of ground about it; and though the people at Hartford nevertheless seized and appropriated that also, once for all, when they heard of the war between the Netherlands and the Commonwealth at home (1654), that was no great loss, and did not disturb the boundaries which had been drawn beyond Greenwich on the mainland and athwart Long Island at Oyster Bay. Stuyvesant more than compensated himself for the loss of Good Hope; for that same year (1654) he took a force that could not be withstood to the South River, and conclusively put an end to the Swedish power there, making the river once more a part of New Netherland, not to be disputed again by Sweden.

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Death the while thrust his hand into the affairs of New England, and sadly shifted the parts men were to play there. In 1647, the year Stuyvesant came, Mr. Hooker had been taken, leaving no such schrewd and kindly statesman and pastor behind him; and in 1649, the year the King died upon the scaffold, John Winthrop departed—the man who had founded Massachusetts, and who had seemed its stay and prop. Then Mr. Cotton died (1652), to be followed, scarcely six months later, by Mr. Dudley. Mr. Haynes went in 1654, and the gentle Winslow in 1655; and then Standish, the bluff soldier, who had carried so many of Plymouth's burdens at the first (1656), and Bradford, the peasant gentleman and scholar, whom all had loved and trusted (1657). Last of all, Mr. Eaton was taken (1658), and New Haven mourned her grave and princely merchant and governor as one whom she could not replace. The first generation of leaders had passed away; men of a new kind were to take their places.

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Endecott still lived, to be elected governor year after year till he died (1665). Thirty years in the wilderness had done little to soften his hard rigor against those who offended, though it were never so little, against the law or order of the colony, whether in matters of life or doctrine. He was quick to bring men and women alike to punishment for slight offences; and the days of his rule were darkened by the execution of several Quakers who had refused to quit the colony when bidden. The air cleared a little of such distempers when he was gone.

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The authorities and sources for the period covered in this Section have already been named, in connection with the history of the several colonies, under Sections I. to V. of this chapter. There should be added, however, to the authorities on Virginia, Robert Beverley's History of Virginia, which is here almost a first-hand source.

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For the history of this period in England the exhaustive authority is Mr. Samuel Rawson Gardiner, in his History of the Great Civil War, 1642-1649, and his History of the Commonwealth and Protectorate.

Part 7: The Restoration

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ALL Europe feared England's power while Cromwell ruled. No such masterful spirit had stood at the front of her affairs since great Elizabeth's day, and there seemed to be revived in him the same wide vision In the making of plans and the same passionate resoluteness In executing them that had drawn Ralegh and Drake and Frobisher and Hawkins forth to their adventures on the sea, seeking conquests for England at the ends of the earth. It was not enough for him that he should subdue Ireland and quiet Scotland by force of arms, and make himself master at home. He deemed it his duty to lead England forward once again towards the great destiny of conquest and power which men had had clear sight of in the brave days of Shakespeare and good Queen Bess, but had seemed to forget and lose heart for while the unkingly Stuarts reigned. Acting upon secret instructions from the Protector, Major Robert Sedgwick, of Charlestown, in Massachusetts, and Captain John Leverett, of Boston, led an English force into Acadia, where the French were, upon the Bay of Fundy, and made it by sudden conquest an English province (1654). That same year Admiral Blake was sent into the Mediterranean to punish the Duke of Tuscany and the pirates of Tunis for injuries they had inflicted on merchantmen out of England; and the next year, 1655, a great fleet was put upon the seas to go into the West Indies against the possessions of Spain, and there gave the great island of Jamaica the flag and commerce of England.

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Cromwell had demanded of Spain freedom of trade in the West Indies and the exemption of English subjects from the horrid tyranny of the Inquisition; not because he thought that Spain would grant these things, but because he saw what England must demand and get if she would compete for power with the Spaniard, who still every year drew great stores of gold and silver and other treasure from her rich colonies in the West. He no doubt expected Spain to refuse what he demanded, and meant from the first to send men-of-war to take what she would not give. He seemed to know, like the statesman he was, what the possession of America and of her trade would mean in the future, and he was acting under counsel from America itself in what he did: the counsel of Mr. Hooke, the shrewd pastor at New Haven, his confidant and relative, of Mr. Cotton, of Boston, whom Mr. Hooke had urged to write to the Lord Protector, and of Roger Williams, who was in England (1651-1654) while the thing was being considered, who was often admitted to private conferences with the Lord Protector, and whose knowledge, sagacity, frankness, and sweetness of nature proved much to that great soldier's liking. These men were Puritans of the same stock, breeding, and party with himself. They hated Spain as he did, as the chief instrument of the Romish Church, and they wished to cut her treasures off.

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The Lord Protector was no stranger to America. It was told that he had himself tried to get away to the safe refuge of the Puritan colonies in the dark days when Charles was master and would not call a Parliament. He had joined others in signing the letter which certain members of Parliament sent into New England inviting Mr. Hooker to come back to England to assist at the reform of the Church; and he had been one of the commissioners whom Parliament had appointed in 1643 to dispose of all things in the colonies as they saw fit-the commissioners from whom Mr. Williams had obtained his charter for the Providence Plantations. No doubt Cromwell would have made a greater empire for England in America had his hands been free at home; but death overtook him ere his plans had widened to that great work (3 September, 1658).

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Massachusetts used the time while the Commonwealth stood not only to settle a little more carefully the forms of her own government, but also to extend her jurisdiction over the new settlements which were springing up about her to the northward, and to set up a mint of her own to coin shillings, sixpences, and threepences to take the place of the money so fast drawn off into England to pay for the goods brought thence. And, since her people were nearly all of one mind and creed in matters of religion, she took occasion to regulate her church affairs even more stringently than the Puritans at home ventured to regulate the faith and worship of England. She put her new "Cambridge platform" rigorously into practice, stopping to doubt neither its righteousness nor its expediency. She not only thrust Quakers out, but sternly forbade all dissent from the doctrines taught by her preachers, and required that even the officers of her militia should be members of the authorized church. There was here no radical change. Massachusetts was but confirming herself in her old ways with a somewhat freer hand than before, because no fear of reproof or correction from the government over sea any longer restrained her.

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Virginia, meanwhile, underwent a veritable transformation. When the Parliamentary commissioners came to Jamestown in 1652, in their frigate, to summon the colony to make her submission to the Commonwealth, they had had to deal, as they knew, with no special class of Englishmen like the Puritans In New England, but with average Englishmen, mixed of gentle and common, too far away from England to be very hot party men upon either side in respect of the sad quarrel between the King and the Puritans. They professed, like other English subjects, to belong to the Church of England, and their own government there in the colony had but the other day sent nearly a thousand settlers packing out of its jurisdiction into Maryland because, though quiet people enough and fair to deal with in other matters, they had refused to observe the forms of the Church, and had openly practised a manner of worship and of church government like that set up in New England, and now in England itself. But the Virginians, take them rank and file, were not really very strenuous about the matter themselves. The Burgesses commanded very strictly the observance of the canons of the Church of England in every matter of worship; but the scattered congregations of easy-going colonists were in fact very lax, and observed them only so far as was convenient and to their taste. Archbishop Laud would very likely have thought them little better than Puritans in the way they governed their churches,—for each neighborhood of planters was left to choose its own minister and to go its own way in the regulation of its forms of service. They revered the great mother Church over sea very sincerely, and meant to be faithful to it in everything that should seem essential; but the free life of the New World made them very democratic in the ordering of the details of practice, and they were glad that there were no bishops nearer than England. Some among them, perhaps not a few scattered here and there, were known to think like the Puritans in matters of government, if not in matters of worship; and there were men of substance among the number, men like Captain Samuel Mathews, for example, one of the chief men of means in the colony, whom all deemed "a true lover of Virginia," notwithstanding the frank and open freedom he used in differing with his neighbors when they exalted Church or King.

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Captain Richard Bennett they elected governor under the new agreement with the Commonwealth in England, notwithstanding the fact that he had been the leader of the Puritans whom Sir William Berkeley had driven into Maryland for contumacy in disobeying the laws of the colony, and had, besides, been one of the commissioners who had compelled them to submit to the Puritan government in England. When his term was out they chose Mr. Edward Digges, who was no Puritan, and then Captain Mathews himself, who died in the office just as the Commonwealth came to an end in England. The Burgesses were the real governors of the colony all the while, as they made Captain Bennett and Mr. Digges and Captain Mathews understand, and the House of Burgesses was made up of men of all opinions. Some parts of the colony were very impatient under the government that had ousted the King, and those parts were as freely represented among the Burgesses as any others. There was Northampton county, for example, lying almost by itself, on the "eastern shore" beyond the Bay, whose local authorities, not content with what the Burgesses had put into their resulutions concerning the death of the King, had themselves proclaimed Charles, the dead king's son, "King of England, Scotland, Ireland, and Virginia, and all other remote provinces and colonies, New England, and the Caribda islands" (December, 1649). It cost a good deal of watchfulness and steadiness in governing to keep such men quiet even under their own assembly; and the Burgesses themselves hastened to call Sir William Berkeley back to the governorship again when they learned that Richard Cromwell had declined to maintain his father's place in the government at home. England had not yet enthroned Charles II.; things hung for many months in a doubtful balance; and the Burgesses conducted Virginia's government the while in their own name. Sir William Berkeley was only their servant as yet, and they chose Captain Bennett also to be of the governor's council; but Sir William was more to their mind, after all, than commonwealth men, and they very promptly acknowledged him the King's governor again when they knew that Charles had been received and restored, in England,—returning with a certain sense of relief to their old allegiance and their long accustomed ways of government.

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Then it was that it began to become apparent how much Virginia had changed while the Commonwealth stood, and how uneasy she must have become had the Commonwealth lasted much longer. During that time a great host of royalist refugees had sought her out as a place of shelter and safety, if not of freedom,—a great Company, to be counted at first by the hundreds and then by the thousands, until Virginia seemed altered almost in her very nature and make-up. The steady tide of immigration did not stop even at the fall of the Commonwealth and the restoration of Charles, the King. The congenial province still continued to draw to itself many a Cavalier family whom days of disaster and revolution had unsettled, or to whom she now seemed a natural place of enterprise and adventure. Not the regions of the first settlement merely, on either side the James, but the broad tide-water country to the northward also between the York and the Rappahannock, between the Rappahannock and the great Potomac, filled with the crowding new-comers. In 1648 there had been but fifteen thousand English people in Virginia; in 1670 there were thirty-eight thousand, and nine new counties sent Burgesses to her assembly. The population had more than doubled in about twenty years; and most of those who had come from over sea to be added to her own natural increase were Cavaliers, men who wished to see the rightful King upon the throne, and England secure once more under her ancient constitution.

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This great immigration, though it brought to Virginia men who were all of one tradition and way of life, did not mean the introduction of a new class of gentle-folk. No doubt a great many of them were of gentle blood and breeding; no doubt an unusual number of them were persons of means, who could afford to purchase and maintain large estates on the rich river bottoms. It is certain that with their coming came also a very noticeable change in the scale and style of living in the colony. More big grants of land were made. Great plantations and expensive establishments became more common than before. Negro slaves were more in request, and the Dutch and New England ships which brought them in from Africa or the Indies more welcome in the Bay than ever. The society of the little province was enriched by the gracious presence of many a courtier, many a cultured gentleman, many a family of elegance and fine breeding, drawn from the very heart of English society. But this was not the first time that Virginia had seen such people come to live on her fertile acres. There was no novelty except in their numbers. There had been men of like extraction, manners, and principles in the colony from the first—not a great many, perhaps, but quite enough to keep all men in remembrance of the gentle middle and upper classes at home: gentlemen as well as boors, noted blood and obscure, good manners and bad. There now came men a great many like Colonel Richard Lee, of the ancient family of Coton Hall in Shropshire, honored since the thirteenth century with places of trust and distinction in the public service; like Mr. John Washington, grandson of Lawrence Washington, of Sulgrave and Brington, and cousin of that gallant Colonel Henry Washington who upon a famous day had stormed Bristol with Rupert,—who had told Fairfax he would hold Worcester till he should receive his Majesty's command to yield it up, even though his Majesty were already a prisoner; men like the Randolphs, the Pendletons, the Madisons, the Ludwells, the Parkes, the Marshalls, the Cabells, the Carys, who had time out of mind felt the compulsion of honor bred in then, by the duties they had performed, the positions they had won, the responsibilities they had proved themselves able to carry. But Virginia received them as of no novel kind or tradition. Men of Cavalier blood were no breeders of novelties. They were not men who had doctrines to preach or new ideals of their own to set up. They were merely the better sort of average Englishmen. They preferred settled ways of life; had more relish for tradition than for risky reforms; professed no taste for innovation, no passion for seeing things made unlike what they had been in older days gone by,-openly preferred the long established order of English life. They gave to the rapidly growing tide-water counties in which they settled their characteristic tastes and social qualities; established a very definite sentiment about government and social relationships, like that at home; but they rather confirmed the old tendencies of the place than gave it a new character.

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They only made complete the contrast that had all along in some degree existed between Virginia and New England. It was men of the King's party, the party of the Restoration, to whom Virginia now became a familiar home, and the coming of the second Charles to the throne seemed an event full of cheer in the southern colony. Men bred like the Cavalier families of Virginia in every social matter, drawn from sound county stock and ancient lines time out of mind gentle and elevated to the ranks of honor, had gone into New England also at the first: Winthrops, Dudleys, Winslows, Saltonstalls, Chaunceys,-men bred, like Cromwell himself, to influence and position. But they were men whom a new way of thought had withdrawn from the traditions of their class and set apart to be singular and unlike the rest of Englishmen. To the Cavalier gentlemen of Virginia the home government now seemed healed and sound again, and affairs settled to that old familiar order which best suited Virginia's taste and habit. There came increase of wealth, too, with the tide of immigration, which ran steadily on; and the plantations seemed quick with hopeful life once more. To the Puritan gentlemen of New England, on the contrary, all hopeful reform seemed at an end, and the government they had made and cherished put in critical jeopardy. Their chief concern, now as always, was to be let alone; to be allowed to conduct their affairs for themselves, after the Puritan model, unchecked and unmolested. They had liked the setting up of the Commonwealth in England, not because they felt any passion against the King, but because the new government was a government of their own friends, and might no doubt be counted upon to indulge them in the practice of a complete self-government. Their passion was for independence. Their care was to cut off all appeal from their authority to that of the government at home. They meant to maintain a commonwealth of their own; and there was good reason to fear that the King, whom the Puritans in England had kept from his throne, and Cromwell's death had brought back, would look with little favor upon their pretensions.

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As a matter of fact, it was the Puritan Parliament itself which had taken the first step towards bringing all the colonies alike into subjection to the government in England,—at any rate, in everything that affected commerce. In 1651 it had enacted that no merchandise either of Asia, Africa, or America should be imported into England, Ireland, or any English colony except in ships built within the kingdom or its colonies, owned by British subjects, and navigated by English masters and English crews,—unless brought directly from the place of its growth or from the place of its manufacture in Europe. It was no new policy, but an old, confirmed and extended to a broader reach and efficacy. It was not meant as a blow at the trade of the colonies—except, it might be, at the trade of Virginia and the Barbadoes, which had been a little too bold, outspoken, and insubordinate in protesting against the execution of Charles and the setting up of the Commonwealth,—but for the aggrandizement of Englishmen everywhere. Sir George Downing had suggested the passage of the act, a man born in New England and of the Puritan interest on both sides of the sea. The new leaders in England had revived the purposes and hopes of Gilbert and Ralegh and Elizabeth, and meant to build up a great merchant marine for England, and so make her the centre of a great naval empire. They were striking at the Dutch, their rivals in the carrying trade of the seas, and not at the colonists in America, their fellow - subjects. The Dutch recognized the act as a blow in the face, and war promptly ensued, in which they were worsted and the new mercantile policy was made secure against them. It was a way of mastery which caught the spirit of the age, and men of the King's party liked it as well as those did who had followed Cromwell. The very first Parliament that met after the Restoration (1660) adopted the same policy with an added stringency. It forbade any man not a subject of the realm to establish himself as a merchant or factor in the colonies, and it explicitly repeated the prohibitions of the act of 1651 with regard to merchandise brought out of America or Asia or Africa. Certain articles, moreover, produced in the colonies, it reserved to be handled exclusively by English merchants in England. Chief among these were the sugar of the Barbadoes and the tobacco of Virginia. These were not only to be carried exclusively in English bottoms, but were also to be exported only to England. It seemed a great hardship to the Virginian planters that they were thus put at a double disadvantage, forbidden to choose their own carriers and also forbidden to choose their own markets, obliged both to pay English freights, whatever they might be, and also to put everything into the hands of English middlemen. But Parliament gave them compensation, after all, and they found in due course that there was little less profit under the acts than before. Treble duties were put upon Spanish tobacco brought into England, that they might have the market to themselves, and a great part of their cargoes went on, through England, to the northern countries of the continent, with a handsome rebate of duties. They soon adjusted themselves to the system.

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An act of 1663 made a very weighty addition to the series of restrictions. It forbade the importation into the colonies of "any commodity of the growth, production, or manufacture of Europe" except out of England and in English ships. No ship, though an English ship and manned by English seamen, might thereafter lawfully carry any merchandise directly out of Europe to the colonies. England must be the entrepot. The frank preamble of the act stated its purpose. It was intended to maintain "a greater correspondence and kindness" between the people of his Majesty's plantations and the people of England, to keep the plantations "in a firmer dependence" upon the kingdom, and to render them "yet more beneficial and advantageous unto it,' by using them for "the further employment and increase of English shipping and seamen" and as "the vent of English woollen and other manufactures and commodities, rendering the navigation to and from the same cheap and safe, and making this kingdom a staple, not only of the commodities of those plantations, but also of the commodities of other countries and places, for the supplying of them." Such, added the preamble, was "the usage of other nations, to keep their plantations' trades to themselves."

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To obey these acts meant to exclude all foreign ships from English ports in America, the ships of the neighborly Dutch at New Amsterdam with the rest, and to cut the colonies off from all direct transactions with foreign markets, making them dependent upon England whether they bought or sold. But, if obedience were forced upon them, there were compensations. English capital, after all, supplied them with the means to grow and to make their adventures in commerce, and deserved its reasonable encouragement without grudging. Ships built in the colonies were English-built ships under the meaning of the statutes, and New England turned her hand with a great aptitude and ardor to building ships out of the incomparable timber which stood everywhere ready in her virgin forests. It transformed both her life and her industry to be thus set to rival the Dutch and the shipbuilders and seamen at home in the carrying trade of the seas, and every village that had its port or outlet set up stocks and built sea-going craft, if only to carry cargoes up and down the long coast. European stuffs, too, though brought out of England, oftentimes cost less than the English themselves had to pay for them; for in England they paid duties to his Majesty's customs, but if they were sent forward to the colonies the duties were remitted. The system appeared not so niggardly when looked at on every side.

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Moreover, the acts might be disobeyed with some impunity at the safe distance of America. New England did, in fact, openly ignore then,. For more than fifteen years after the passage of the act of 1660 she traded as she pleased, in entire disregard of the authority of Parliament. These Acts of Navigation (for so they were called) had not been passed with their consent, the Massachusetts General Court declared, and were not binding upon them. But neglect of laws passed by Parliament only made it the more certain that the government of the King would some day, when it found leisure for the business, turn its hand to discipline and bring the too independent colonists to a reckoning. The colonies were now no longer the insignificant settlements they had been before the air in England darkened with the trouble between Parliament and Charles I. They had become lusty States, very noticeable, and altogether worthy of the attention of the home government. They were subject, under the arrangements of English law, entirely to the authority of the King in council—that is, to such members of the King's Privy Council as he chose to clothe with authority in the matter of their government; and there stood at the elbow of the new King a man of statesmanlike power and perception, Edward Hyde, Earl of Clarendon, whose advice began to give a novel thoroughness of system to the administration of the growing possessions of the crown. He became a member of the general council appointed to oversee all foreign plantations at the very outset of the new King's reign (December, 1660), and presently became a member also of the special committee of the Privy Council charged in particular with the settlement of the affairs of New England (May, 1661), giving to its policy spirit and direction.

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Massachusetts was keenly aware how open she was to attack, if it came to a question of obedience. Her magistrates had from the first systematically neglected to administer the oath of allegiance to new settlers, though their charter explicitly commanded that it should be administered. They administered, instead, an oath, of fidelity to the government of Massachusetts. They had excluded members of the Church of England not only from the right to vote, but even from the right to use the appointed services of that Church in their worship. They had extended their authority over districts to the northward which clearly lay beyond the bounds of the lands granted them in their charter. They had denied to those who sought to exercise it the right to appeal from their decisions to the King's courts in England, and had even punished some who made as if they would appeal in spite of them. They were not surprised, therefore, when, in 1664, the King appointed commissioners to look into their dealings with the crown, with their neighbors, and with their own subjects, and prepared themselves for as shrewd a defence and fight for their indpendent powers as the circumstances might permit. They had offended in the very points in respect of which Clarendon felt most clearly justified in insisting that they should submit to royal authority. He meant to insist upon an observance of the Navigation Acts, upon the recognition of the civil rights of members of the Church of England, and upon the subordination of the colonial courts to the courts of the King by the establishment of the right of appeal, at any rate in cases of special significance.

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Massachusetts, moreover, had been very slow about proclaiming Charles II. king. Her magistrates had waited more than a year after first hearing of the Restoration before they publicly and in proper form proclaimed his authority, wishing to make sure that the unwelcome news was true and the King actually accepted in England. The ship which brought the news, In August, 1660, had brought also two officers of Cromwell's army, Edward Whalley and William Goffe, who had signed the late King Charles's death-warrant, and were now fugitives from England; for the Parliament had excluded from the Act of Indemnity and pardon, which had accompanied the new King's return, all "regicides," all who had been directly concerned in the death of Charles I. Many of those who had not fled were already under arrest, Sir Harry Vane among the rest, presently to be sent to the scaffold; but the colonists in New England befriended these men who had fled to them, and Colonel John Dixwell also, who soon followed them; and kept them safe against all searches of the King's officers until they died. Massachusetts sent agents of her own into England to make her peace with the King; but they returned with a letter from his Majesty which commanded an immediate recognition of his authority, the administration of justice in his name, the toleration of the Church of England, and a repeal of the laws by which the right to vote was restricted to members of their Puritan churches. It was the sharp tenor of this letter that made them anxious how they should fare at the hands of the royal commissioners who came in 1664.

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Fortunately for Massachusetts, the settlement of her government was not the first or chief business of the commissioners. Their titles showed for what they had been chosen,—Colonel Richard Nicolls, Colonel Sir Robert Carr, and Colonel George Cartwright, officers of the royal army, with but one civilian associate, Samuel Maverick, a onetime resident of Massachusetts, but long since forced out of the colony for his failure to agree with the exacting magistrates in matters of worship and of government. Though they were directed "to dispose the people" of the New England settlements "to an active submission and obedience to the King's government," and came upon a business like that which the commissioners of the Commonwealth had twelve years ago so quietly carried through in Virginia and Maryland, their chief errand was to make an end of the Dutch power in America. They came with a fleet of three ships of war and a transport carrying four hundred and fifty soldiers, to capture New Amsterdam and make New Netherland once for all an English province. Not that England was at war with the Dutch. It was claimed that England had from the first owned all the country of the coast, and that the Dutch had all along been intruders, as the English settlers on the Connecticut had again and again told them. The claim was not just; for the Dutch had unquestionably been the first to discover and the first to settle upon the Hudson, the Connecticut, and the great Sound itself; but it was true that the kings of England had all along asserted their exclusive title there, as elsewhere on the long Atlantic seaboard, all the way from the French settlements in the north to Florida and the Spanish settlements in the south, and had more than once included the lands upon which the settlements of New Netherland lay in their grants to trading companies and to individuals who promised to take settlers out.

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"The Dutch had enjoyed New Netherland during the distractions of the reign of Charles II. without any other interruption" than the occupation of their lands upon the Connecticut by the New Englanders, and the ù settlement first of the Swedes and then of the English on the Delaware; but the ministers of Charles II., though they were "for some time perplexed in what light to view them, whether as subjects or as aliens, determined at length that New Netherland ought in justice to be resumed." Such was the way in which English writers afterwards spoke of the matter, putting into their histories what they wished to believe. But the facts are plain enough. The claim of right was a pretext. English statesmen saw that they could not enforce the Navigation Acts in America so long as the English colonies had the Dutch next door to trade with as they pleased. They saw also that the great Hudson was the natural highway to the heart of the continent and to the land of the fur trade. They knew how inconvenient it was, and how dangerous it might become, to have the Dutch power thrust, a solid wedge, between their own northern and southern colonies, covering the central port and natural mart of the coast. They made up their minds, therefore, to take what they wanted by force. The ministers of Charles were but resuming the plans of Cromwell, who had sent a fleet into America to do this very thing, when the first Navigation Act provoked the Dutch to war, and had withdrawn it only because he immediately got, by a treaty of peace, something that he wanted more.

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The first step taken by King Charles was to give New Netherland by royal grant to his brother James, the Duke of York and Albany, all the lands lying within the wide sweep of a line drawn up the western bank of the Connecticut River, from the sources of the Connecticut to the sources of the Hudson, "thence to the head of the Mohawk branch of the Hudson River, and thence to the east side of Delaware Bay" (March, 1664). The commissioners were sent on their men-of-war to take possession in the Duke's name. The thing proved easy enough. The doughty Stuyvesant was taken entirely by surprise, had no force with which to withstand Charles's ships, found the peaceable burghers about him loath to fight, and yielded without a blow struck, though he would rather have lain in his grave, he said, bitterly, than make such a surrender. There was no choice with but an hundred and fifty men trained to arms and but twenty guns upon the fort against the King's frigates and an army.

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The settlement of the forms of government under which the English should rule was almost as easily effected; for Colonel Nicolls, the English commander, was not less a statesman than a soldier, knew how to be wisely generous and make liberal provision for privileges and securities of right and property which should belong to the Dutch settlers as freely as to the English, and within a year of his comming had transformed New Netherland into New York, under laws which promised toleration and good government, and which all sensible men accepted with satisfaction. And yet it was not, Colonel Nicolls found, an easy place at which to be set down as governor. There was a very puzzling mixture of peoples and of institutions to be dealt with. The Duke's grant covered all of Long Island, which the Dutch had not tried to govern beyond Oyster Bay. English towns dotted the island which had been parts of Connecticut or of the colony of New Haven, and which had always used their English liberty in matters of local government. Near at hand upon the island, and up the long reaches of the North River, where the Dutch towns lay, magistrates ruled whom Stuyvesant had appointed, or the agents of some potent patroon. At New Amsterdam itself men of all nationalities, creeds, and ways of life were to be found mixed in cosmopolitan variety. On the South River were settlements half Swedish, half Dutch. It was impossible to thrust upon all of these a single system of government. Where the Dutch had ruled it was still feasible to govern without elections, through officers whom the governor appointed, and under laws enacted in the governor's council; but the English towns insisted upon having a voice in the choice of their own magistrates, and used their town meetings, whether they were legal or not under the Duke's decrees, to direct the officers whom they elected in the discharge of their duties. Fortunately Colonel Nicolls was but thirty-nine when he came to the task, had still the elasticity of a young man in his make-up, saw with clear, frank eyes, and was no less conciliatory than firm in action. His tact and decision established "the Duke's Laws" with little difficulty outside the English towns, though with many a local adaptation, and even in the English towns he managed to lack nothing that was essential to his authority. The governor and his council, themselves the appointees and servants of the Duke of York, ruled the whole colony without serious let or obstacle, and made new laws when there was need; but ruled with a new temperance which the Dutch had not seen before, and made provision for just methods of administration in everything. There was trial by jury, there were equality and unquestioned security in the tenure of lands, and practically absolute freedom of belief and worship; and the inhabitants of the captured province saw much to be content with.

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It was of the first consequence that English power should be well and wisely rooted there at the gates of the Hudson. That mighty river, pouring down out of the north, came straight from the country where the French were masters. Its valley and the valleys which opened into its own, bringing their waters also out of the north, and the lakes which stretched above, almost to the stream of the St. Lawrence, were the veritable keys to the continent. There English power must be kept or broken. Charles, the King, may not have comprehended the full significance of what he did when he sent his fleet to plunder the Dutch and make New Netherland a province for his brother. But every thoughtful man in America knew. Here was not only the greatest of all the highways to the country of the fur trade; here was also the strategic centre of the continent itself. Whoever should be indeed master here might call all America his own, upon all the coast and throughout all the deep forests which lay upon it. The colonies of the English could not be drawn together either for mastery or for defence without this central harbor and waterway to the heart of the north. It was well the Duke had sent so wise a man and so capable to make good the English foothold there.

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But it was not a little disturbing that the King had sent the fleet to annex a part of New England as well as all of New Netherland to the Duke's domain. He had made his grant to the Duke run eastward to the banks of the Connecticut; and yet (had he forgotten?) he had already given away the lands there, on both sides of the river, not two years before, by a formal charter grant (April, 1662), to John Winthrop, governor of the settlements that had taken the name Connecticut. Until then the settlers there had had no charter at all. For seventeen years they had lived under a government of their own framing, and with only such rights as they were able to buy under former grants made by the old Council for New England. But now, by the address and good management of their capable governor, the accomplished son of the John Winthrop who had died governor of Massachusetts, they had been secured in their rights both of occupation and of government under a most liberal charter, which left them as free to choose their own governors as before. The younger Winthrop, himself a man of fifty-six, was well known in England. It was his privilege to assist, almost at this very time, in the foundation of the Royal Society, and afterwards to become one of its Fellows; he had influential friends near the person of the King; his own charm of manner and gifts of mind were calculated to make his Majesty forget that he was son-in-law to Hugh Peter, who had preached to the first Charles at his condemnation; and he got what he wanted for Connecticut.

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In the indefinite terms of his charter the boundaries of Connecticut were to run westward to the South Sea (as the English still called the Pacific); to the deep chagrin of the New Haven people, it included their own towns; certainly it ran athwart the later gift to the Duke of York. For the time being that was not a matter of much practical importance. The Duke did not attempt to exercise his authority in the Connecticut settlements, and an agreement was presently reached that Connecticut should have jurisdiction to within twenty miles of the Hudson. Though that agreement never received the royal sanction, it sufficed for the moment. What seemed to the New Haven people of much more consequence was that Governor Winthrop had managed to sweep their towns within his charter grant. They liked neither the politics nor the church government of the Connecticut towns above and about them, and for two years stood out against being absorbed. It seemed better, however, to belong to Connecticut than to belong to the Duke of York's province, as they might be obliged to if they did not accept Mr. Winthrop's charter; Mr. Winthrop was himself very wise, moderate, and patient in pressing the union upon them; and in 1665 they yielded, making Mr. Winthrop governor of the united towns upon the river and the Sound.

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The King's commissioners did not fare very well when they turned from the taking of New Netherland to the examination and settlement of affairs in Massachusetts. In the other colonies which they had been directed to set in order they had little difficulty. Connecticut and Rhode Island were just now in favor at court, and gave the commissioners little to do except settle the boundaries between them. Rhode Island had obtained a new charter from the King in July, 1663, scarcely a year after Mr. Winthrop had got his for Connecticut; and, though she had had some difficulty in saving an important strip of territory which Connecticut's charter had been made to include, that matter was in the way to be adjusted before the commissioners came. In Plymouth they found the magistrates ready to make most of the concessions his Majesty had instructed them to demand. But in Massachusetts they were utterly defeated of their purpose.

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Colonel Nicolls could be very little with them, because he was engrossed in the pressing and necessary business of settling the government of the Duke's province of New York; and yet they were not permitted by their commission to take any official action without him. Sir Robert Carr and Colonel Cartwright were men wholly unfitted to transact business of delicacy and importance. They had neither tact nor weight of character, nor any knowledge or experience in such affairs as they now tried to handle; and they were dealing with astute men who knew every point of the controversy and every mooted question of law like parts of a familiar personal experience. The Massachusetts General Court had adopted a declaration of their rights by charter the very year they tardily proclaimed Charles II. king (1661), as if anticipating an attack upon their government. In it they had argued their right to a complete self-government, and had declared that they owed no further direct duty to the King than allegiance to his person, the safekeeping of that part of his territories over which they exercised jurisdiction, the punishment of crime, and the protection of the Protestant religion; and they maintained nothing less now in the presence of the commissioners. It proved impossible to bring them to terms. The commissioners more than once put themselves in the wrong by a loss of temper or an unwarranted assumption of authority; and the whole matter had at last to be referred back, unsettled, to the King. A letter thereupon came out of England commanding Massachusetts to send agents over to deal with the authorities there; but they found a way to avoid obedience to the summons, and once again, as when their charter had been attacked thirty years before, the attention of statesmen at home was called off from their business to matters of more pressing consequence. Clarendon, who was the master spirit of the new policy of the government towards the colonies, too stout for prerogative to suit the Parliament, too stiff for right to suit the King, lost his place and was banished the kingdom in 1667, the year after the commissioners returned to England with their report of failure. The Dutch accepted the gage of war thrown down by England's seizure of New Netherland, and the struggle widened until it threatened to become a general European conflict. Without Clarendon, politics dwindled in England to petty intrigue. There was time to take breath again at the Bay. Massachusetts was, it turned out, to keep her jealously guarded charter for nearly twenty years yet.

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Here the chief authorities and sources are those already referred to under Sections I. to V. of this chapter.

Part 8: New Jersey and Carolina

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THE Restoration and the reassertion of royal authority had done much to check the growth of Massachusetts and her neighbor colonies of the Puritan group, but it had noticeably stimulated settlement to the southward, near where Virginia lay with her Cavalier leaders and even in New England a natural growth went slowly on. Clarendon had been statesman enough to see that the colonies in America were no longer petty settlements, lying outside the general scheme of national policy. He saw that they were now permanent parts of a growing empire, and he had sought until his fall to bring them under a general plan of administration, which the commissioners of 1664 were to take the first step towards setting up. America was no longer merely a place of refuge for Puritans and royalists, each in their turn, no longer merely a region of adventure for those whose fortunes desperately needed mending. It was henceforth to be a place of established enterprise and of steadfast endeavor pushed forward from generation to generation; and the steady advance of English settlement, showing itself now almost like the movement of a race, already sufficiently revealed what the future was to bring forth.

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The capture of New Netherland, though it brought war upon England, seemed to secure peace for America. There was no longer, when Colonel Nicolls was done, an alien power between New England and Virginia. The whole coast was at last indisputably English land, all the way from the little settlements struggling for existence far to the north in the bleak forests which lay beyond the Massachusetts grant to Spain's lonely forts in the far south by the warm bays of Florida. That was a royal principality which the Duke of York had received from the lavish Charles—all the great triangle of rich lands which spread northward and westward between the Connecticut and the lower waters and great Bay of the Delaware, Long Island, Nantucket, Martha's Vineyard, and all their neighbor islands, great and small, included,—and Colonel Nicolls had established his authority, at any rate at the centre of it, where the Dutch had been, in a way that gave promise of making it abundantly secure. But the Duke was a Stuart, and no statesman; loved authority, but was not provident in the use of it; and parted with much of the gift before it was fairly in his hands. Colonel Nicolls and his fellow commissioners did not take possession of New Amsterdam until August, 1664, and it was then nearly two months since the Duke had given a large part of New Netherland away to his friends Lord John Berkeley, Baron of Stratton, and Sir George Carteret, of Saltrum.

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Late in June he had granted to these gentlemen, his close associates in friendship and in affairs, his colleagues in the Board of Admiralty, over which he presided, all his own rights and powers within that part of his prospective territory which lay to the south of 41° 40' north latitude and between the Delaware River and the sea, touching the Hudson and the harbor of New York at the north, and ending at Cape May in the south. This new province he called New Jersey, in compliment to Sir George Carteret, who had been governor of the island of Jersey when the Parliament was arrayed against the King, and who had held it long and gallantly for his royal master. Colonel Nicolls, the Duke's able governor in New York, knew nothing of the grant of New Jersey until the ship Philip actually put into the harbor in July, 1665, bringing a few settlers for the new province and Philip Carteret, a kinsman of Sir George's, to be its governor. Colonel Nicolls had but just completed his careful organization of the Duke's possessions; had put his best gifts of foresight and wise moderation into the settlement of their affairs, to the satisfaction of the numerous Dutch as well as of the less numerous English established there; and was not a little chagrined to see a good year's work so marred by his improvident master's gift. There was nothing for it, however, but to accept the situation and receive the representative of the new proprietors with as good a grace as possible, like a soldier and a gentleman. Knowing nothing of the grant to Berkeley and Carteret, he had already authorized a settlement at Elizabethtown, on the shore that lay nearest to Staten Island to the westward, and had granted rights and titles to other purchasers who had settled on the southern shore of the great outer Bay, near Sandy Hook; and the new colonists there now discontentedly doubted what their rights would be.

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Much the larger part of the population of the original province of New Netherland, however, still remained under the authority of Colonel Nicolls and "the Duke's Laws," notwithstanding the setting apart of New Jersey to be another government,—in one direction, indeed, more than the Dutch themselves had pretended to govern; for the Duke's possessions included all of Long Island, the portion which lay beyond Oyster Bay and which had been conceded by the Dutch to the English in 1655, as well as the parts which lay close about the bay at New York. There were probably about seven thousand souls, all told, in New Netherland when the English took it, and of these fifteen hundred lived in the little village which was drawn close about the fort at New Amsterdam. The rest were near at hand on Long Island and on Staten Island, or were scattered up and down the lands which lay upon the Hudson on either hand as far as Fort Orange, which Colonel Nicolls renamed "Albany," because James was Duke of York and Albany. The Swedes, also, who had settled on the South River (the Delaware), and whom Stuyvesant had conquered, had built for the most part on the western bank of the river, and were outside the bounds of New Jersey. On the eastern bank, where Lord Berkeley and Sir George Carteret were to be proprietors, there were but a handful of Dutch and Swedes at most. These, with the little Dutch hamlets which stood near New York on the western bank of the Hudson, at Weehawken, Hoboken, Pavonia, Ahasimus, Constable's Hook, and Bergen, and the new homes of the English families whom Colonel Nicolls had authorized to settle within the grant at Elizabethtown and by the Hook, contained all the subjects the new proprietors could boast.

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The government which the proprietors instructed Philip Carteret to establish was as liberal and as sensible as that which Colonel Nicolls had set up in New York. On the day on which they appointed their governor they had signed a document which they called "The Concessions and Agreements of the Lords Proprietors of New Jersey, to and with all and every of the adventurers and all such as shall settle and plant there," and which offered not only gifts of land upon most excellent good terms to settlers, but religious toleration also and a free form of government. "The Duke's Laws," which Colonel Nicolls had set up for the government of New York, were equally liberal in matters of religion, but not in matters of self-government. The New Jersey lords proprietors directed their governor to associate with himself in the administration of the province a council of his own choosing not only, but also an assembly of twelve representatives, to be chosen annually by the freemen of the province. This assembly was to make the laws of the colony, and no tax was to be laid without its consent. The governor and his council were to appoint only freeholders of the colony to office,—unless the assembly assented to the appointment of others. It did not seem necessary to call an assembly at once; the scattered hamlets could separately attend to their own simple affairs well enough until more settlers should come. The first years of the new governor's rule were quietly devoted to growth.

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The governor established himself and the thirty odd settlers and servants who came with him at the new hamlet just begun at Elizabethtown; and the next year, 1666, the Philip brought other settlers to join them. The governor took pains to make known the liberal terms of settlement he was authorized to offer, in New England and elsewhere in the colonies already established, as well as at home in England. A steady drift of colonists, accordingly, began to set his way. In 1666 the Elizabethtown tract was divided to make room for other settlements at Woodbridge and Piscataway. The same year numerous families from Milford, Guilford, Branford, and New Haven came and began to make homes for themselves at Newark, on the Passaic,—dissatisfied with the condition of affairs on the Sound since they had been tied to the Hartford government, and determined to have a free home of their own where only church members of their own way of thinking and of worship should have the right to vote or to hold office. It was a very notable migration, made in organized companies, as the first settlements upon the Sound had been, and sapped the New Haven towns of their old stock. "The men, the methods, the laws, the officers, that made New Haven town what it was in 1640, disappeared from the Connecticut colony, but came to full life again immediately in New Jersey." Even Mr. Davenport left the familiar seat he had himself chosen and returned in his old age to Boston. By April, 1668, New Jersey seemed to the governor ready for its first assembly, and he called upon the freemen to make their choice of representatives.

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The Puritans of the new settlements controlled the assembly when it came together at Elizabethtown the next month (26 May, 1668) and passed a bill of pains and penalties against various sorts of offenders which was drawn in some of its parts directly from the Book of Leviticus, as an earnest of their intentions in matters of government; but they had been in session scarcely four days when they grew impatient to be at home again, and adjourned. When they met a second time, in November, the little hamlets on the Delaware, which had not send delegates to the first session, were represented; but the people of the "Monmouth grant," by Sandy Hook, were not. They were angry because Governor Carteret had refused to acknowledge their right to make rules of local government for themselves, under the terms of their grant from Colonel Nicolls, given before the New Jersey grant was known of in New York; and they declared that the persons who had assumed to act for them at the first session of the assembly, in May, had had no real authority to do so. The representatives who did attend the November sitting soon went home again, dissatisfied that the governor's council did not associate itself with them closely enough in the conduct of the assembly's business, and impeded, as they thought, the execution of the provisions of the "Concessions, the great document which was their constitution from the proprietors. It was to be many years yet, as it turned out, before the conduct of the government of the colony was to be satisfactorily provided for. The several scattered settlements had little sympathy with each other, and New Jersey was not yet a complete or organized colony.

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It was a day of new proprietary grants to gentlemen in favor at court; but the making of grants was very different from the making of governments. At the very time when Governor Carteret was trying to form a government that would hold the scattered towns of New Jersey together in some sort of discipline and order, the representatives of another proprietary government of the same kind were trying the same experiment with much the same for time in the south on the "Carolina" grant, which the King had made the year before he gave New Netherland to his brother. In 1663 he had granted the lands which lay south of Virginia between the thirty-first and the thirty-sixth degrees of north latitude to eight proprietors: the great Earl of Clarendon, General George Monk, now Duke of Albemarle, William Lord Craven, Anthony Lord Ashley (soon to be Earl of Shaftesbury), Sir John Colleton, John Lord Berkeley and Sir George Carteret, to whom the Duke of York was the next year to give New Jersey, and Sir William Berkeley, brother of Lord John and governor of Virginia. Here, as in New Jersey, settlers had long ago entered and begun a life of their own. The Virginians had spoken of the region hitherto as "South Virginia," and it was some of their own people who had begun its settlement. In 1653 Roger Greene had taken a hundred settlers to the coast of the broad Sound which was afterwards to be called Albemarle,—after the great General Monk's new ducal title,—and had established them on a grant at "Chowan." given to him by the Virginia House of Burgesses as a reward for the "hazard and trouble of first discovery," and as an "encouragement of others for seating those southern parts of Virginia." Nine years later (1662) George Durant followed with other settlers, Quakers driven out of Maryland and Virginia, whom the Virginian authorities were glad to be rid of and have settled out of sight in the wilderness. They began to build to the eastward of Mr. Greene's people at "Chowan," upon the next peninsula of the same Indented coast, in what was called the "Perquimans" region. And then, the next year, 1663, the King handed their lands over to be governed by the eight lords proprietors of "Carolina."

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There were by that time quite three hundred families settled there and there were none besides in all the vast tract that the King's charter called "Carolina." These first comers had chosen for their settlements a region neither fertile nor wholesome. Great pine barrens stood there upon the coast, interspersed with broad swamps dense with a tangle of cypress and juniper. Inside the coast districts, where the land rose to drier levels and the virgin soils lay rich and wholesome, were some of the finest regions of all the continent, fertile and sweet-aired and full of inviting seats; but there was no highway to these. Only the sea and the rivers were open. The land was everywhere covered with untouched forests, pathless and unexplored. For the present settlers were obliged to content themselves with the flat, unwholesome coast, in spite of its killing fevers, because it alone was accessible. This Albemarle country was Virginia's frontier, the refuge of the restless, the unfortunate, and the discontented, and of all who found her laws and her power to enforce them irksome and unbearable. Some very steady and substantial people there were also, no doubt, who chose to live there,—like the good Quakers whom Mr. Durant had brought thither because they could find a welcome nowhere else. There was a good profit to be made out of timber cut from those splendid forests, and out of the breeding of cattle, which was easy enough; and many industrious families liked the steady trade of the region, with its accompaniment of a free life in the ungoverned wilderness. But it was as yet the shiftless, the irresponsible, and the adventurous who were most attracted.

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What with adventurers who were ungovernable and men of industry and ability who wished to be let alone, it was not an easy or a promising place in which to set up the authority of proprietors who were in England and had done nothing to help the men whom they meant to govern. Sir William Berkeley, nevertheless, being himself one of the proprietors, took the first step towards making good the rights of the new masters in 1664, when, by the authority of his associates, he commissioned William Drummond to act as governor among the people at Chowan and Perquimans. The appointment of a governor made little difference at first. Not until three years later did the proprietors attempt the establishment of a regular government, and even then the arrangements which they made were very liberal. They that year, 1667, sent over Samuel Stephens from England to be governor in Drummond's place, and they sent with him a document of "Concessions," very like that which Lord Berkeley and Sir George Carteret, two of their number, had lately granted to the settlers in New Jersey. There was to be perfect freedom in religion; the elected representatives of the people were to make the laws of the settlements; no taxes were to be imposed' without their consent; and they could assemble upon their own motion, without waiting for a summons from the governor. The governor was to have twelve councillors and the people were to have twelve representatives, as in New Jersey; but half of the governor's council were to be chosen by the assembly itself, and governor, councillors, and representatives were to sit together as a single body,—so that the people's delegates were sure of a majority in all its deliberations.

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The assembly used its power to exempt all new-comers from taxes for a year after their coming, and to provide that for five years to come no suits should be heard for debts or any other obligations contracted outside Carolina. Of course such laws brought insolvent Virginian debtors and all sorts of Virginian outlaws in larger numbers than ever to the settlements, and the Virginians called the place "Rogues' Harbor"; but others of a better sort came also, and it was population first of all that the Albemarle law-makers wanted. A more settled life and a less irregular and questionable way of encouraging immigrants came afterwards in due time,—as well as unexpected troubles with the proprietors. The first grant of 1663, had not in fact included the Albemarle settlements, though those who framed it supposed that it did; but in 1665 a new charter was obtained which advanced the boundary line far enough northward to make sure of including them. And then the proprietors, having a taste for a more elaborate way of governing, adopted a highly complicated and detailed plan, drawn up by Mr. John Locke, who was then, at thirty-seven, secretary to Anthony Lord Ashley, one of the proprietors. The document contained eighty-one articles, was called the "Fundamental Constitutions" of Carolina, and was elaborate enough for a populous kingdom. It bore date 21 July, 1669.

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The proprietors were too much men of the world and of affairs to suppose that that simple community, only just now begun, was ready for an elaborate government, which, among other things, proposed to change very radically the free tenure of the land into a sort of feudal holding under hereditary nobles; but they meant to establish their system when they could, and were in too great haste, it turned out, to believe that parts of it could at once be made to apply. Even yet "Carolina" had no settlements except those at Albemarle. In 1660 a few families from Massachusetts, looking for some betterment of fortune, had established themselves near the mouth of the Cape Fear River, purchasing their lands from the Indians; but they had left the place disheartened in 1663, the very year the lords proprietors got their first grant from the crown. News of the grant stimulated some of the English who were in the Barbadoes to attempt the same thing that the Massachusetts men had attempted. In May, 1664, they began a settlement upon a new site, far up the spreading stream of the Cape Fear. But three years were enough for them also; in 1667 they, too, were gone, and the river country was again empty.

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It proved no light matter to govern even the little settlements at Albemarle. The publication there of the formidable Fundamental Constitutions in 1673, when the proprietors seemed bent upon putting then, at any rate partially into operation, disturbed the as yet unfettered settlers very deeply,—for they loved and meant to have a free life in the wilderness. Though they had been promised freedom of belief and worship, these Constitutions, as published among them, threatened to make every man pay for the maintenance of the Church of England as an established church. Moreover, the air was at that very time full of disquieting rumors. News came that the King had given all of Virginia to Lords Arlington and Culpeper,—not to rule, indeed, but to own; and it was said that the proprietors of Carolina meant to divide the province among themselves, and give the Albemarle country to Sir William Berkeley, whom they would have exceedingly disrelished as their master, being quit, as they had hoped, of Virginia's imperious governor. Worst of all, the governor whom the proprietors had sent them sided with the King's officers in enforcing the Navigation Acts, whose enforcement would spoil their trade. They sold their timber and their cattle very freely to shrewd skippers out of New England, who brought them what they needed from the ports of the Puritan colonies, got their timber and cattle, disposed of them in the West Indies, and came back again thence with good cargoes of sugar, rum, and molasses, for which they took tobacco, to be sold at home for export into England,—all without license from the crown and in plain defiance of the Acts.

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The colonists preferred their trade to the laws of Parliament, and their freedom to the laws of the lords proprietors. Moreover, the very charter under which the proprietors acted had given their lordships the right to make laws and constitutions only "by and with the advice, consent, and approbation of the freemen" of the colony, or their representatives; and these new regulations had never been so approved or ratified. The temper of resistance among the colonists proved more than the agents of the lords proprietors could manage; and for almost ten years after the publication of the "Constitutions" the settlers at Albeniarle took leave to have their own way upon every critical occasion. In 1675 their governor, Carteret, Stephens's successor, went to England in a sort of despair, to explain that he was not allowed to govern. In 1677 the colonists seized the collector of the revenues, and several thousand pounds of the revenue with him, because he tried to break up their trade with New England and the West Indies. They were quieter without a governor than with one, and meant to obey authority only on their own terms.

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The proprietors were to find that it was not much easier to govern settlements of their own planting than to govern the rough and ready hamlets at Albemarle, which had been set up without them. By August, 1669, the month after they signed the first draft of their Fundamental Constitutions, they had an expedition ready to go into the southern parts of Carolina and plant a colony which should be worth helping and worth governing; and by April of the next year it was actually planted. There had been many disasters to face by the way. The settlers had been kept a long time at the Barbadoes, to repair their ships and get supplies, and colonists to recruit their number; and they had come away from the islands with Colonel William Sayle, a man stricken in years, for governor, instead of Sir John Yeamans, who knew the coast and was in the full vigor of manhood. The aged soldier who took them to their place of settlement had founded a colony of Presbyterians in the Barbadoes twenty years ago, and still showed not a little of the steadfastness and strength of purpose that had marked him for a leader then; but he was too old for this new task, and died the next year in the doing of it. The place chosen for the settlement was a pleasing bluff within the fair Kiawah River,—which they presently called the Ashley, in honor of the distinguished nobleman for whom Mr. Locke had written the Fundamental Constitutions. Their settlement they called Charlestown; and there they lived for ten years without notable incident, except that Sir John Yeamans, who was their governor from 1671-1674, brought negro slaves with him when he came from the Barbadoes in 1672. Mr. Joseph West was governor most of the time during the first years of settlement, and ruled very sensibly, assisted by a council of which the freemen of the colony elected a part. Things went quietly enough until the proprietors and the government at home bestirred themselves to enforce the Fundamental Constitutions and the laws of trade.

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It was no mere perverseness of temper or mere love of license that set the colonists so stubbornly against the plans and the authority of their governors. It was rather their practical sense and their knowledge of their own necessities. They knew that, if they were to thrive at all, they must be let live as they could in the wilderness, as the actual and inevitable conditions of their own lives permitted, not cramped by elaborate constitutions or by the rigid restrictions imposed by the Parliament's laws of trade, but with a freedom suitable to their rough and simple ways of living. Virginia herself, for all she was so much older, so staid and loyal, was moved to revolt almost as easily as Albemarle and Charlestown when put upon more grossly than she could bear. She was herself in rebellion at the very time the men at Albemarle were openly defying their governor to put into force among then, the laws which forbade their trade with the Indies.

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Virginians had seen their burdens and their grievances against the government alike of their governor and of the King grow ominously heavier and heavier ever since the Restoration, which they had once deemed so happy an event, until at last the condition in which they found themselves seemed quite intolerable. Sir William Berkeley was no longer the manly, approachable gentleman he had been in the earlier time of his first governorship,—bluff and wilful, but neither bitter nor brutal. The long days of his enforced retirement, while the Commonwealth stood (1652-1660), had soured his temper and alienated him from the life of the colony; and he had come out of it to take up the government again, not a Virginian, like the chief Cavalier gentlemen about him, who now accounted Virginia their home and neighborhood, but a harsh and arbitrary servant of the crown and of his own interests, ready to fall into a rage at the slightest contradiction, suave only when he meant to strike.

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The change was not obvious at first; but it became evident enough ere long. The King recommended mere place hunters and adventurers to Sir William for appointment in Virginia, wishing to be rid of them, or to pay his personal obligations at Virginia's cost. Sir William put them in office in the colony, and along with them his own friends, kinsmen, and favorites, until councillors, sheriffs, magistrates, surveyors, customs clerks, the whole civil service of Virginia, seemed a body of covetous placemen who meant to thrive whether justice were done and the laws kept or not. Nor was that the worst of it. It was next to impossible for the small planter, or for any man who did not thrive exceedingly, to pay the growing taxes and the innumerable petty exactions which were demanded of him to pay these men, satisfy the King's collectors, and maintain the expensive government of the colony. The Navigation Acts forbade the colonists to send their tobacco anywhere but to England, in English ships, and so the English skippers could demand what freight they pleased and the English merchants could buy the tobacco at such prices as suited them. The same Acts forbade any goods to be brought into the colonies except from England, and so the English merchants could exact what they chose for the supplies they sent and the skippers could get their return freight charges. There was no coin in Virginia, or next to none; tobacco itself, her principal crop, served as money, and when it was worth little and the goods it was used to pay for were worth a great deal, it was hard to live at all, and poverty seemed a thing enacted and enforced.

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Time had been, before the meddlesome Acts of Navigation, when the Dutch ships which came in at the river paid five shillings on every anchor of brandy they brought in, and ten shillings on every hogshead of tobacco they took out; and the money had been appropriated to make good the defence of the frontier against the Indians. But no Dutch skippers came in since the Acts, and that charge also fell upon the poor planters. "It hath so impoverished them," declared Mr. Bland, of London (1677), looking for the sake of untrammelled trade into these matters, "that they scarce can recover wherewith to cover their nakedness." Taxes were not levied upon the land, so that each man might pay in proportion to his property, but by the poll, each man alike, and every servant assessed with his master; so that the poor man bore the chief burden, and sweated under it intolerably. His tobacco, with the diminishing price the English merchants put upon it, was all he had to pay with, and seemed every leaf of it to go to the tax gatherer,—who got his office by favor, and himself took ten percent of what he collected. Members of the governor's council were exempt from the poll tax, with ten servants apiece, and yet were paid salaries out of the taxes. The government seemed a thing planned for the support and behoof of "the grandees" of the governor's court, the men of the Virginian democracy said, and their discontent grew with their numbers. Their numbers grew fast enough. There were six thousand white indentured servants in the colony. Every year quite fifteen hundred of these saw the hoped-for end of their term of service come, and were given fifty acres of land apiece to shift for themselves and join the ranks of taxpayers. When the price of tobacco fell, one evil year, to a halfpenny a pound, Mr. Ludwell declared to the governor that nothing but "faith in the mercy of God, loyalty to the King, and affection for the government" restrained them from rebellion. And their affection for the government cooled fast enough.

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The restrictions put upon the carrying trade had but the other day been made complete in their kind. In 1672 an act for the still "better securing of the plantation trade" had forbidden even a coastwise trade among the colonies themselves, or with the English Bermudas, in sugar, tobacco, cotton, wool, indigo, or any other of the enumerated articles of the former Acts, except they were first taken into England, or paid at the port of export the duties levied at the English wharves.

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As if poverty, and heavy taxes to make it the more burdensome, were not enough, deep anxiety lest Virginia should lose even the forms of her liberty was added, and finally war with the Indians, to make the measure full to overflowing. It was useless to appeal to the House of Burgesses for a redress of grievances, because Sir William Berkeley would allow no election of a new House. For fifteen years he kept alive the House which had been chosen in 1661, at the time of the Restoration. It was made up of hearty partisans of the King's government, as was natural, having been chosen when it was, and was quite ready to follow Sir William's lead in most things. He would adjourn its sessions from time to time, but would not dissolve it; and so there were no elections at all. The Burgesses themselves were content enough to prolong its life, and keep the governor in good humor by their votes. Each member received two hundred and fifty pounds of tobacco for every day he spent in the assembly, to keep himself, his servant, and a horse; every committee of the assembly had its paid clerk and money out of the colonial treasury for its liquors; and there was oftentimes more profit to be got out of a long session than out of diligent tobacco planting at home.

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In 1673 came the news that the King had given all Virginia to Lords Arlington and Culpeper, to be their proprietary province, like Carolina and New Jersey, and several gentlemen had to be sent over to England in haste to plead, intrigue, and protest, as if for the very life of the colony, against such a usurpation. Their lordships kept the royal <<>>quit-rents, spite of all opposition, and a new poll tax of sixty pounds of tobacco a head had to be levied to pay the expenses of the commissioners sent to plead the colony's case against them. And then, in 1675, when affairs seemed most darkened and confused by selfish and arbitrary action both at home and over sea, there came hot trouble with the Indians, which the governor refused either to deal with himself or allow others to settle.

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It was that that brought the explosion. A sort of desperate wrath took possession of the stronger and more daring spirits of the colony, and they presently found a leader who gave Sir William good cause to fear what might come of their anger. The governor ought to have remembered that other year of blood, 1644, when last the Indians were on the war-path, and how sad a blow it had dealt the colony. True, there had then been scarcely ten thousand people in Virginia, and there were now no doubt close upon fifty thousand, armed and able in all ordinary straits to take care of themselves. It was not likely the Indians could strike very far within the borders or threaten the heart of the colony. But men and women and children lived on the borders no less than at the heart of the colony. Precious lives could be wasted there as well as elsewhere,—plain people, no doubt, but Englishmen,—and the colonists were not likely to stand tamely by and look on at the massacre of their own people. No doubt the Indians had been unwisely, unjustly dealt with and provoked, goaded to hostile acts by attacks upon one tribe for what, it may be, another had done; such things had too often happened, and the colonists were not over- careful to avoid them. But that was no reason for refusing to put a force into the field to stop the massacres. What was the governor's scruple? He alone could grant licenses to trade with the Indians, and he did not grant them for nothing. It was something more than a surmise that he shared the profits of the trade, and let the traders sell what they would to the savages, though it were firearms and powder and shot, against the laws of the colony, to make the profits worth while. Did he hesitate to interrupt his lucrative fur trade with the redmen; or was he reluctant to put any armed force into the field for fear of what it might do for the redress of grievances within the colony after the danger from the Indians had been made an end of? Whatever his motive, he would not act, and could not, he said, until the assembly came together for its regular meeting in March, 1676. Meanwhile scores of people had been murdered, plantation after plantation had been destroyed (sixty in a single county within a space of little more than two weeks), and the border was desolate and terror stricken. And even when March came and the meeting of the Burgesses, Berkeley played them false. The assembly met, the "Long Assembly" elected fifteen years ago,—met for the last time, as it turned out,—and voted to send a force of five hundred men against the savages; but Berkeley disbanded the little army before it could take the field; and defence was again abandoned.

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Here was more than could be endured; and there were men in Virginia who were ready to defy the governor and get their rights by arms. Nathaniel Bacon had sworn with a hot oath that if the redskins meddled with him he would harry them, commission or no commission; and he kept his threat. He was of the hot blood that dares a great independence. He was great-grandson of Sir Thomas Bacon, of Friston Flail, Suffolk, cousin to the great Lord Bacon, of whose fame the world had been full these fifty years; and though he was but nine-and-twenty, study at the Inns of Court and much travel in foreign lands had added to his gentle breeding the popular manners and the easy self-confidence of a man of the world before he turned his back upon England and came with his young wife to be a planter on James River in Virginia. In May news came that the Indians had attacked his own upper plantation and had murdered his overseer and one of his favorite servants; and he did not hesitate what to do. A company of armed and mounted men begged him to go with them against the redskins, and he led them forth upon their bloody errand without law or license, member of the governor's council and magistrate though he was. He sent to ask the governor for a commission, indeed, but he did not turn back, or lose his armed following either, when word was brought that the governor had refused it, and had proclaimed him and all with him to be outlaws. It was flat rebellion; but Bacon's pulse only quickened at that, and Virginia for a little while seemed his to command.

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He put a stirring tragedy upon the stage there in the quiet colony with its sombre forests, and played it out with a dash and daring that must take every generous man's imagination who remembers how fair and winning a figure the yonng leader made through all those uneasy days, and how irresistibly he caught the eye and the fancy with the proud way in which he carried himself, lithe and tall and dark of skin, and that melancholy light in his dusky eyes, a man of action and of passion-such passion as it moves and wins other men to look upon. That was a summer to be remembered in which he pushed to the front in affairs,—and most of all its sad ending.

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Berkeley found that he could not openly treat Bacon as a rebel without kindling a flame of discontent on every hand among the colonists. He was obliged to dissolve the "Long Assembly," call a new one, admit Bacon himself to a seat in it, hear his bad administration debated, and consent at last to the levying of an effective force to fight the Indians. But what he could not do openly he tried to do secretly and by treachery. One night while the assembly still sat Nathaniel Bacon fled from Jamestown, warned that his life was in danger. He returned with six hundred men at his back and compelled the governor to give him a commission. Once more he was proclaimed an outlaw, and all his followers outlaws with him, the moment he had turned his back and plunged into the Indian country; and a war for protection turned to civil war.

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Bacon's blows were quick and terrible, and more to be feared than his biting speech. He had wellnigh exterminated the Indian tribe of Susquehannocks before he heard of or heeded his outlawry. Then he turned in his hot anger against the government itself, as if it had declared war upon him. He required and took of his followers an oath to resist not only the governor, but the very troops of the King himself should they come, until wrongs should be righted; and Berkeley was driven, a fugitive, to the far counties beyond the Bay. When he returned with a motley force to Jamestown he was driven forth again, and Jamestown was burned. Only Bacon's death ended the ugly business. As autumn approached he sickened and died (the first day of October, 1676), overcome by the passion of action and of feeling, and the exhausting life of the camp and the field; and his followers dispersed.

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He had gone too far. At first, rank and file, no doubt, had been with him, men of substance with the rest, for the right to live and to better the government; but most of the chief planters had held aloof even then; and as he went on they were more and more alienated. It became more and more an affair of the rabble, of the men who were poor and desperate and had nothing to lose. When he burned Jamestown he also sacked the plantations of the greater land-owners thereabouts, knowing them to be his enemies; and he died with the spirit of the outlaw too much kindled within him by the lawless work he had done, almost determined to withstand the King as well as the governor, and to make those who had not joined him pay for his work of resistance and reform,—no longer merely a champion of reasonable reformation, but a revolutionist. Nothing less could have alienated his friends, broken his party, and given Berkeley his full time of revenge against those whose cause had been just.

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That revenge was only too complete. A fleet arrived out of England in January, 1677, with a regiment of the King's troops aboard, and commissioners to settle the troubles in the colony to the re-establishing of order; and the commissioners had themselves to rebuke and restrain the insensate bitterness of the maddened governor. He had set the hangman to work before they came, and by the time January was out had sent more than twenty persons to the gallows for their participation in the rebellion; among the rest William Drummond, the capable Scotsman whom he had deputed to be the first governor of the settlements at Albemarle, and who had governed very quietly there, knowing the men he had to deal with, but who was now in Virginia again, Mr. Bacon's friend and counsellor. "As I live," cried the King, when he learned the news from Virginia, "the old fool has put to death more people in that naked country than I did for the murder of my father"; and he showed little patience when the old man came home to make his peace. The King would not see him, and the broken governor was dead,—of chagrin, men said,—by midsummer (1677). Virginia was rid of him; forgot how well she had liked him at first; and remembered without compunction how her people had celebrated his departure with bonfires and the booming of cannon.

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It was in that year, 1677, when Virginia's rebellion was over and her chief rebels hanged, that the heady settlers at Albemarle rose against the proprietors and the Acts of trade, thrust their governor out, and seized three thousand pounds of the customs revenue. They were but four thousand people, all told, but they were all of one mind, and did what Mr. Bacon could not do. For two years they governed themselves, upon such a model as might have pleased Virginia's rebel. William Drummond, who had lived among them, had led Mr. Bacon to hope, and half expect, that these Albemarle men would send him aid and make common cause with him against the power of a royal governor and rich land-owners; but they had saved their strength for themselves. They took little thought for Virginia; and they could not have helped Mr. Bacon to succeed had they wished to help him. He had rebelled against powers which were already firmly established and which were to dominate Virginia throughout all the rest of her youth and of her growth to maturity.

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That notable immigration of royalist gentlemen that had been pouring into the colony these five-and-twenty years, and which had brought Mr. Bacon himself to Virginia, had inevitably transformed the character of the little commonwealth. Large estates multiplied faster than small ones. Estates descended from father to son by the rule of primogeniture and were kept together by the strict law of entail. The ruling part in affairs fell more and more, and as if by a sort of social law of nature, to men who believed in aristocratic privilege in matters of government and dreaded a democratic levelling. Being for the most part men of breeding and of honor, they were ready to condemn quite as heartily as Mr. Bacon himself the corrupt and headstrong ways into which Sir William Berkeley had fallen; but they deemed revolution rather a new disease than a good remedy, and left Mr. Bacon to find his recruits among those who had less at stake.

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Virginia's government was singularly like the government to which these ruling gentlemen had been accustomed at home in England; and her most influential men were as certain to make up her governing class as were the country gentlemen of England to procure magistracies in their counties. The Long Assembly had made changes in the law which rendered their supremacy more certain than ever before. The rule in respect of every office was appointment, not election. Only the Burgesses were elected out of all who took part in the government of the colony, and it was fixed custom from of old to select them from the members of the county bench, whom the governor appointed. Even they were to be chosen henceforth, the Long Assembly had decreed, by the freeholders only, and not by the common vote of all free residents, as before the Restoration. Local government was altogether in the hands of the ruling class. The vestry was the governing and directing body in every parish, and its twelve members were to be chosen now in each parish, since the Long Assembly's law of 1662, not by free election, as in the old days, but by the vote of the vestry itself, which was henceforth to fill its own vacancies. The county courts were made up of magistrates appointed by the governor; the sheriffs were nominated by the county courts, who always named some one of their own number; for a long time it had been the custom to elect one or more of the county magistrates to represent the county in the House of Burgesses; the county militia was organized under lieutenants,—one for each county—who were commonly chosen from among the members of the governor's council. There was no place for any but men of means and influence in such a government.

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It was not an exclusive aristocracy. The life of the colony was too simple, too essentially democratic for that. Magistrates and vestrymen, sheriffs and county lieutenants, all felt themselves neighbors and fellows of the men they governed and took taxes of in those quiet river neighborhoods. They were really representatives of the people they ruled, in temper and interest, if not in estate. They knew how their neighbors lived—as Mr. Jefferson explained long afterwards, in behalf of the like magistrates of his own day,—because they did not live very differently themselves. Their motive to do their duty justly and well was the sufficient motive of pride and self-respect, their desire for the esteem of the people about them in the intimate life of the rural countryside. Their rule was mild and public spirited for the most part, more and more so as the life of the colony settled to a fixed and stable order, and the men who found their way into the vestry and the county magistracy were generally men whom all esteemed and looked up to. But their rule was the rule of men of property, in favor of maintaining authority, sure to discountenance irregular attempts at radical reform; and Mr. Bacon's rebellion was the last of its kind. It had come too late, and was never repeated.

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It was not this government of the "country gentlemen," at any rate, that had brought on the fatal troubles with the redskins which had stirred Mr. Bacon to his first act of rebellion; for New England also, self-governed and free as yet, had had her own struggle with the Indians, even more terrible and bitter, which had ended that same eventful summer of 1676. The New England Indians had not forgotten the fate of the Pequots; but that was now close upon forty years ago; the terror of it was no longer fresh, and their own situation had meantime grown a bit desperate. They were being shut within intolerably narrow bounds, and they could not move away from the regions where the English were slowly crowding them from their hunting-grounds without invading the territory of other tribes who would have no welcome for them. The white men paid for the lands they took, but they did not permit the red-men to refuse to sell. They played the part of masters always, and there could be no hope of better times to come. Devoted missionaries had come among the tribes from the white settlements and had won many of them to believe in the gospel of the true God; but their preaching was like the telling of idle fables to most of the reticent, intractable people of the forest, and left them untouched. They were ready at last when a leader should arise to plot for an uprising and a last trial of strength with the invading palefaces. Such a leader arose in the person of Philip, the chief of the Wanlpanoags, whom the English had penned up within the narrow peninsula of Good Hope by the Bay of Narragansett. The flame which Philip kindled among the Wampanoags promptly spread to the Narragansetts and the Nipmucks, until it burned on every border, and New England saw a day of terror such as she had never seen before. There was no trouble like Virginia's. No governor hesitated, no armed force lacked authority to do its work of protection and attack, no levy lagged or was tardy; the country rallied to the awful business. The fatal uprising began in June, 1675, and was ended,—for those tribes at least—by August, 1676, as the Pequot war had ended, with the annihilation of the offending tribes. Those that were not killed or taken were driven forth in hopeless flight; those that were taken were sold as slaves in the West Indies. Thereafter there were only the tribes in the north to reckon with. But the white men's loss was almost as great as that of the savages. More than one-half of the towns of Massachusetts and Plymouth had seen the torch and the tomahawk that awful year; twelve of them had been utterly destroyed; no fewer than six hundred buildings, chiefly dwellings, had been burned; six hundred men had lost their lives, and scores of women and children; debts had been piled up and damage suffered which it would take years of bitter toil to pay and repair; and New England was for a little like a place desolate and stricken. But she rallied in time, as always before, and slowly worked her way to better days, like the old days for peace and prosperity. Her dangers and anxieties were, at any rate, lessened in one matter that had often seemed to hold fear and danger permanently at its heart.

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The chief general authorities for the history of New Jersey in the seventeenth century are Mr. William A. Whitehead's East Jersey under the Proprietary Government, Contributions to East Jersey History, and The English in East and West Jersey, 1664-1689, in Winsor's Narrative and Critical History of America, volume III.; Mr. Berthold Fernow's Middle Colonies in the fifth volume of Winsor; the first and second volumes of Bancroft and the second volume of Hildreth; the second volume of Bryant and Gay's Popular History of the United States; Andrew D. Mellick's Story of an Old Farm; Austin Scott's New Jersey, in the American Commonwealth Series; and Francis B. Lee's New Jersey as a Colony and as a State, 4 volumes.

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The chief sources are to be found in the archives of the State of New Jersey; Leaming and Spicer's Grants, Concessions, and Original Constitutions of the Province of New Jersey, 1664-1682; the Collections of the New Jersey Historical Society; and Samuel Smith's History of the Colony of Nova Caesaria, or New Jersey, to 1721.

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The principal general authorities for the history of the Carolinas in the seventeenth century are Mr. J. A. Doyle's English Colonies in America, volume I.; William J. Rivers's Sketch of the History of South Carolina and The Carolinas, in the fifth volume of Winsor's Narrative and Critical History of America; tee first and second volumes of Bancroft and the second volume of Hildreth; the second volume of Bryant and Gay's Popular History of the United States; the second volume of John Fiske's Old Virginia and Her Neighbours; Dr. Francis L. Hawks's History of North Carolina; David Ramsay's History of South Carolina, from its First Settlement in 1670 to the year 1808; Francois X. Martin's History of North Carolina, from the Earliest Period; and the valuable monographs, chiefly on the history of North Carolina, to be found in the Johns Hopkins University Studies in Historical and Political Science.

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The chief sources for this period of the Carolinas are to be found in the Colonial Records of North Carolina ; Sainsbury's Calendar of [English] State Papers, Colonial, V.; B. R. Carroll's Historical Collections of South Carolina, which contain, among much more material of the first importance, Alexander Hewatt's Historical Account of the Rise and Progress of the Colonies of South Carolina and Georgia, originally published in London in 1779, John Archdale's account of the development of the colony to his own day, the portion of George Chalmers's Political Annals of the Present United Colonies which relates to Carolina, and Locke's Fundamental Constitution for Carolina; the Charleston Year Books, into which many valuable records, otherwise scattered, are brought together; Peter Force's Tracts and Other Papers Relating to the Colonies in North America; and Ben Perley Poore's The Federal and State Constitutions, Colonial Charters, and other Organic Laws of the United States.

Part 9: Pennsylvania

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THE troubles of Massachusetts did not end with the death of King Philip and the extermination of the hostile tribes. That very year of blood and terror, 1676, on the contrary, saw an old danger renewed. Mr. Edward Randolph arrived out of England commissioned to command the authorities of the colony to send agents over sea to answer for their assumption of power over the settlements to the north, beyond the bounds set by their charter, and in despite of the rights of those who vere the legal proprietors there. It was the beginning of a very serious matter. She was to be brought to book at last for her too great independence, and her acts as if of sovereignty over the settlements about her. Poor as she was, after her awful struggle with the redskins, she hastened to buy out the rights of those who claimed proprietorship in Maine and New Hampshire (1677) for twelve hundred and fifty pounds sterling; but that only angered the wilful King the more and hastened graver difficulties. She was charged with illegally coining money, with persistently violating the Navigation Acts and trading as she pleased, with exercising whatever powers of government she desired without stopping first to find thein granted to her in her charter; and there was little defence she could make in face of the plain facts. Again and again she sent capable agents to England to excuse her acts and justify them; but they made little impression upon the Privy Council or on the King's officers, and she was obliged in mere prudence to receive Mr. Randolph as the collector of customs, and speak submissively of the King's power.

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At last there was an action of quo warranto against her (1683), and then a writ issued against her in the Court of Chancery, and in the end, October 23, 1684, an adverse judgment which declared her charter forfeited and her government returned to the crown. It was a bitter thing, but there was this time no escape from enduring it.

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The same year, 1684, Virginia returned to her normal government again, as a royal province, and not the property of Lord Culpeper. The improvident King had not stopped with granting to Lords Arlington and Culpeper, in 1672, "all the dominion of land and water called Virginia," and the quit-rents due from all the lands already occupied there; he had gone further, and in 1675 had appointed Lord Culpeper governor of the colony for life. Lord Culpeper had bought out the rights of Lord Arlington, his coproprietor, and seemed commissioned at length to be Virginia's veritable sovereign master. But his career both as owner and as governor stopped very far short of the term of his life. By 1684 the King, tired of him, had withdrawn his commission and bought off his rights, leaving him a proprietary title over only the "Northern Neck" of Virginia,—the great peninsula which ran back to the mountains between the Potomac and the Rappahannock rivers; and the colony was again directly subject to the crown.

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Lord Culpeper was little in his province even while his term as governor lasted. Sir Henry Chicheley was generally to be found acting in his stead,—a real Virginian, whom all esteemed a man of honor and of parts, a resident in the colony these twenty-five years, and for long either burgess or councillor, a neighbor and friend of the men he ruled as deputy to his lordship. Culpeper wished to be popular, and courted the goodwill of the colonists as he could; but a man without morals could not govern, and a man who would not stick at governing could not please the King, and his downfall was inevitable.

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It was in the bad times of his rule that a new disorder fell upon the colony. In 1679 and 1680 the crops of tobacco were immense; there was more, much more, than could be sold, and its value fell so much that it was worth little or nothing to make purchases with,—and yet it was the colony's chief currency. The assembly wished to stop or limit the planting of tobacco for a little, by statute; but the King, through the governor, forbade the restriction; and there suddenly broke forth a new sort of rebellion. In 1682 mobs of excited people swarmed upon plantation after plantation, destroying the growing crops of tobacco, until what would have filled ten thousand hogsheads had been cut up as it grew, and two hundred plantations had been laid waste within a single county. The armed forces of the colony stopped the riotous, lawless work at last; three of the ringleaders were tried and hanged, and order was restored; but it was made evident once again to what a temper things could be brought in Virginia when her people were not allowed to regulate their own affairs by orderly course of law; and the King's disgust with the rule of Lord Culpeper was not a little heightened.

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Government by proprietors did not seem to go anywhere very well. Even Lord Baltimore found Maryland an uneasy property, and kept it only by consummate tact and watchful management. There were elements of every sort combined in its make-up. Not one-tenth part of its people were of the proprietor's creed any longer; and not many besides Catholics were heartily and by choice of his party in affairs. At every change of political weather there was sure to be some sudden tempest or some covert insubordination there. In 1660 the assembly of the province, headed by Mr. Josias Fendall, the proprietor's own deputy, assumed sovereign power till it should hear that the restoration of King Charles was accomplished fact,-as the assembly in Virginia did,-thinking the new King would be in no mind to support a proprietor whom Cromwell also had befriended. Only when it found the King Lord Baltimore's friend notwithstanding did it return to its allegiance. In 1675 Cecilius Lord Baltimore died, his only son, Charles, succeeding; and the next year one Davis and one Pate, taking their cue from Mr. Bacon in Virginia, made bold themselves to head an actual rebellion in arms. Their assembly, like Virginia's, was chosen by freeholders only, contained a majority whom the proprietor could command and would not part with, and had ever since 1671, like Berkeley's favorite Long Assembly, been kept alive by adjournment,—elections, apparently, having fallen out of favor on both sides the border. The Indians were upon their frontier also, and the taxes went, it seemed to the insurgents, for nothing but to pay for offices provided for the enjoyment of the proprietor's own kinsmen and adherents. But success in Maryland depended upon success in Virginia. When Mr. Bacon died, the Maryland insurgents yielded as promptly as the Virginian; Davis and Pate went to the gallows; and there was an end of that. But there was no ease in affairs even then. Maryland was not so readily to be kept in hand as Virginia. Not her restless Puritans merely, but all her yeomen also, of the rank and file, with their peculiar freedom in local government, made her quick with the spirit as if of a fretful and aggressive democracy. She had a class of free tenants upon many of her estates who kept alive throughout her country-sides a form of liberty very ancient and very vital, and who made her life, so faras they were concerned, very different indeed from that of the country-sides of Virginia, where all alike looked to the magistrates, the sheriffs, and the county lieutenants for government. Many a chief estate in Maryland had its separate organization and its separate privilege of self-government as a manor, under the terms of the charter. In its court-leet, sitting under the presidency of the steward, its freemen enacted their own local bye-laws, chose their own constables and bailiffs, empanelled their own juries, and put all petty offenders to their trial and punishment. In its court-baron the freehold tenants sat as judges of law and fact in matters of rent, trespass, escheat, and the transfer of lands, not only in suits among themselves, but in the settlement of their rights as against their immediate lord the chief of the manor as well. Here was a school of sturdy self-assertion transplanted out of the feudal law of old England into an air never breathed in the Middle Ages, and men of the lesser sort were heartened in their democracy accordingly. The barons of Baltimore had the self-confident tenants of many a miniature barony to deal with in their province; and had occasion to discover very often how vital a commonwealth it was that surged restless under their government.

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Newer proprietors had not the advantage of their experience, and were always slow to see how uncommon a sort of property a colony was,—and that the high-spirited men who undertook to settle in colonies, like Englishmen everywhere, must be governed, if governed at all, under a free system which took note of their real circumstances and had their assent. Carolina furnished an example. There were, in fact, two Carolinas. Since the abandonment of the settlements which had for a little while struggled for a permanent foothold on the Cape Fear (1664-1667), there was nothing but unbroken wilderness through all the long reaches of silent forest which lay between the Albemarle country and the settlement at Charleston,—full two hundred and sixty miles as the crow flies. There could not well be one government for both these separated places, except in name; and it was difficult to tell which was the harder to govern. For almost a whole generation (1669-1698) the proprietors tried to force their Fundamental Constitutions upon them, but made no progress whatever in the matter. The list of proprietors was constantly changing. Some wearied of the business and sold their shares in it, some became bankrupt, some died. And governors changed more rapidly even than proprietors,—no governor finding his seat very easy or being able to please both his masters in England and the colonists in Carolina. New proprietors brought no new wisdom, new governors no new capacity, to the unchanging task, and the settlements took their growth after a way of their own.

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The Albenlarle settlers, whose region presently came to be called "North" Carolina, were, on the whole, the more indulged. They endured many things, it is true, of many governors,—even to open robbery at the hands of one Seth Sothel, who bought the Earl of Clarendon's interest in the colony and came among them to rule as proprietor and get what he could out of his purchase on the spot. But they drove him from the colony in 1689 after having put up with his intolerable insolence and greed for five years together with more than their ordinary patience. They made their temper pretty clearly understood at last, and were suffered to go their own way in most things, with only enough interference and enough demands for quit-rents to keep them uncomfortably in mind of the proprietors. The settlements about the broad Sound slowly filled, and were not a little steadied in their ways of life by a constant increase in the number of Quakers among them. French Protestants came also, and made settlements of their own a little farther to the southward, in Pamlico and on the Neuse and Trent. Swiss and Germans founded a little hamlet at New Berne. The rich heart of the fertile country within was still untouched. There were barely five thousand people there in the year 1700, after forty years of growth. The proprietors had little to show thereabout for their ambitious efforts at colony building. But the colonists themselves took heart to believe their lot established, and no one could doubt that here were at least communities about whose maintenance there need be no concern. They were there to stay, and to grow, though it were never so slowly.

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There was more to be seen at the other far-away settlements in "South" Carolina,—a town, at any rate, and a safe port of entry, such as there was not anywhere upon the northern sounds. Charleston had been removed in 1680 from its first site to a fine point of land which lay opposite, where the Ashley and Cooper rivers joined to make a spacious harbor before passing to the sea. The removal had proved a mere stage in its growth, a proof of its vitality. Englishmen, Irishmen, Scotsmen. Frenchmen, Germans sought the new colony out and made their several contributions to its founding. But the proprietors reaped little benefit. The English and Scottish colonists were not easy men to deal with when governors put the interests of the proprietors before the interests of the colony, or insisted, as they were bidden to insist, upon the enforcement of the impossible Fundamental Constitutions. Moreover, there were troubles peculiar to the place. The Spanish were close at hand at St. Augustine, watching their chance to attack and destroy the settlement. The colonists invited danger of still another kind by seizing Indians for slaves, and so exasperating the redskins. The English-speaking colonists did not wish to admit the Frenchmen who came among them to the full privileges upon which they insisted for themselves; but they were very keen for their own rights, and understood very well to what they were entitled under the charter to the proprietors. Governors lived no more comfortably among them than among the people of North Carolina. There were twenty-five hundred settlers in the colony by the time the new Charleston at the confluence of the rivers was six years old (1686), and seven thousand by the time the century was out (1700); but the more numerous they grew, the more steadfastly did they insist upon having no government they did not like.

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Proprietary government was proving quite as difficult, meanwhile, in New Jersey; but the monotony of failure had been broken there by the sudden re-entry of the Dutch upon the scene. England and France had joined in war against Holland in 1672, and a hostile Dutch fleet presently found its way to the coasts of America. It first preyed upon the commerce of Virginia and Maryland in the south, and then, standing to the northward, entered the familiar harbor at New York, and took possession as easily as Colonel Nicolls had taken possession nine years before. From August, 1673, to November, 1674, the Dutch were masters in their old seats; there was no New York, no New Jersey; all alike was New Netherland once more. But it was a mere episode, a mere passing reminder of the old days when the Dutch were really masters there. In 1674 the war ended, and England regained her provinces by the treaty of peace (Treaty of Westminster, February 9, 1674).

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The withdrawal of the Dutch, however, did not put the affairs of the English back at the point at which they had been broken off by the conquest. There were new difficulties to face. Philip Carteret again became governor in New Jersey, for Sir George Carteret, the proprietor; and for a little his task seemed easier than it had been before the Dutch came. The chief English towns of the province had stubbornly resisted his authority until the very eve of the coming of the Dutch men-of-war, though he had been steadfast and had not ceased to rule in such matters as he could, or to press the interests and the powers of the proprietor. At last documents had come out of England which conclusively put an end to the claim of the uneasy colonists that they had a right to act independently of the proprietor; but they had hardly reached Carteret before the Dutch fleet came in. When the Dutch were gone again the once discontented towns received their English governor back with a sort of satisfaction, having been gladdened to see the alien masters go. But there were new difficulties, because Edmund Andros, that stirring major of dragoons, was governor of New York. King Charles made a new grant of New York to his brother the Duke of York in 1674, to cure any doubt the Dutch occupation might be thought to have put upon his title; and the Duke promptly granted East New Jersey over again to Sir George Carteret; but the new grant was not couched in the terms of the old, left a doubt upon the mind of a careful reader whether it meant to renew Sir George's sovereignty or only Sir George's ownership as overlord,—and his Grace had explicitly commissioned Andros to be his deputy in the government of New York "and its dependencies." Andros understood Carteret's new charter literally, as it read, and acted as if he had been bidden annul the right of Sir George's governor to govern. He saw to it that the New Jersey towns should get as little comfort out of the resumption of their separate government as possible. He was a bluff soldier, bred in the school of Prince Rupert, as honest as he was direct and determined,—not a man to originate a policy of his own, but sure to do what he understood he was commanded to do very absolutely, without tact or scruple or hesitation, with the rough energy of a man who was no politician, but only a soldier. Moreover, he had in him the warm blood of thirty-four. At first he contented himself with collecting customs duties at the New Jersey ports as well as at New York for the Duke's revenues; but when Sir George Carteret died, in January, 1680, he went further. He challenged Philip Carteret's authority outright, accused him of acting without legal warrant within the Duke of York's patent, "to the great disturbance of his Majesty's subjects," and, when he would not yield, seized him, deposed him from his government by force, and himself assumed the authority of governor in the New Jersey towns. The next year, 1681, saw Carteret upheld and reinstated and Andros rebuked by official letters out of England, and the discredited soldier went home to give his account of the affair. East Jersey was to have quiet again for a little under new proprietors.

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The King's new grants made of New Jersey, not a single province, as before, but two distinct provinces, East Jersey and West Jersey. Lord Berkeley, Sir George Carteret's associate in the original grant, had sold his interest in the province early in 1673, before the Dutch came, and when the Dutch were gone again Sir George Carteret's grant was renewed, not for the whole of New Jersey, but only for "East" Jersey. "West" Jersey passed into the hands of those who had bought out Lord Berkeley's interest in the original gift. It included all the southwestern portion of the province, below a line drawn from Little Egg Harbor at the sea sharply north and northwest to the northernmost branch of the Delaware in latitude 40° 41'. Its lands lay upon the great river from end to end, almost, of the original grant. All the spreading waters of the stream below and of the great Bay through which it opened to the sea were its highway and frontier.

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East Jersey passed, after Sir George Carteret's death, to a numerous company of proprietors, by purchase (1681),—men of all "religions, professions, and characters." Some were high prerogative men, likely to be of any king's party; some were dissenters, some papists, some Quakers. The governors whom they sent out were not likely to push any one interest or opinion or scheme of authority, and their province fell upon quieter days, when governors and colonists could generally agree and live in peace together.

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West Jersey seemed sometimes, to outsiders, a place with no government at all. It, too, had numerous proprietors, whose shares were constantly changing hands, to the confusion both of questions of ownership and questions of government. But there was, in fact, a quiet growth of prosperous settlements, nevertheless. The several hamlets planted within the little province were established by people abundantly able to take care of themselves, and local government went peacefully on, whether there was any definite guiding authority fixed for the colony as a whole or not. Moreover, there was in due time, when affairs had settled and taken on a normal face, a very well ordered government for the province, under a popular assembly to which the proprietors accorded powers very freely, and which they let their governors heed and obey in a way that other colonies might very well have envied.

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Both provinces prospered. Many settlers preferred the Jerseys to New York. There was less taxation there, and less interference with merchants' dealings. The currency was kept freer from sudden changes of value than elsewhere, because the law did not play with its value. In West Jersey the laws for the punishment and suppression of crime were singularly humane and just. A wilderness lay between the towns near New York and on the Monmouth grant and the towns upon the Delaware; only an Indian trail here and there, like that which ran from the Puritan settlement at Newark south and southwest to the river, threaded the untouched forests; and it was not easy to pass from the one region to the other except by sea. But settlers poured in very steadily to the parts that were open, from New England and Long Island especially, as well as from over sea. Saw mills and iron mills were set up; tar, pitch, and turpentine were shipped in paying quantities from the pine forests; whales, caught upon the very coasts, yielded rich supplies of oil and whalebone; and the Jerseys made ready to be as forward as any other colony in growth and self-support.

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The democratic government of West Jersey, the humane clemency of its laws, the full freedom of religious belief allowed to all comers, and all the features of liberality and tolerance which drew settlers to the Delaware were due in no small degree to the presence of influential Quakers among its proprietors. Among the rest was William Penn, a man at whose hands schemes of proprietorship in America were to receive anew dignity, and a touch almost of romance. He was but thirty-one when he bought a share in the province of West Jersey (1675). He had been born in 1644, the year before Mr. Ingle turned reformer and roving governor in Maryland—two years after Sir William Berkeley came out to be governor in Virginia. That was also the year in which Mr. George Fox, the founder of the sect of Quakers, first began, a lad of twenty, to preach a new way of life. He preached no new creed, but only simplicity and purity of life, the direct gift of a guiding light from Heaven, without intermediation of priest or church or learned dogma, the independence of every man's conscience, and his freedom from the authority of man or government in such things as concerned the life of the spirit. He spoke such words as made men's hearts burn within them, and quickly kindled a fire which no man could put out or check. William Penn had become his follower at twenty-four, taken captive almost upon a first hearing by the new and generous way of thought which so gently bade men better their lives.

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Penn was singularly unlike the plain, unlettered people who had been the first to hear Mr. Fox with gladness and live as he counselled. He was son to Sir William Penn, whom all the world knew as admiral in the royal navy, a great career behind him, a favorite with the King for the service he had done him when he was restored,—half man of the world, half bluff sailor; a man of fortune, and of a direct and ready fashion of making his own way; no lover of new-fangled notions or young men's whims; and his son had so handsome a person, so gallant a manner, so manifest a charm in what he said and did, that Sir William's head was filled with dreams of what he should become,—dreams of preferment and a notable career in affairs. It astounded and angered him mightily that the boy should turn Quaker and give up everything for a set of foolish notions. But it half pleased the old man, after all, when his first <<>>choler was passed, to see how steadfast his son was. It half amused him to recognize his own wilfulness turned to such a use. Presently he forgave the strange lad, like the frank sailor he was, and helped him to succeed in another way.

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And so it turned out that West Jersey was bought,—so far as Mr. Penn and those who thought with him among the new proprietors were concerned,—to be a refuge and place of peace for the Quakers. It was the Quakers who principally crowded into the new province and gave it its prosperity and its sober way in affairs. But Mr. Penn's plans widened as his thought became engaged in this great matter. A mere share in the ownership of West Jersey did not satisfy him. He determined to have a province of his own, a Quaker colony upon a great scale. The outcome of that purpose was the founding of Pennsylvania, whose peaceful story of orderly government and quick prosperity reads like the incidents, almost, of an idyl amidst the confused annals of colonial affairs in that day of change. Sir William Penn had died in 1670, and had left to his son, among other items of an ample fortune, a claim for sixteen thousand pounds against the crown. The young Quaker asked for a grant of land in America in satisfaction of the claim, and the King readily enough consented, glad to please an old friend's son and be quit of an obligation so easily. Penn asked for and obtained the land "lying north of Maryland, on the east bounded with Delaware River, on the west limited as Maryland is, and northward to extend as far as plantable" into the unclaimed Indian country; and the King pleased his own fancy by calling the grant Pennsylvania," in honor of the old admiral whose claim against the crown he was thus paying off. The grant was dated March 4, 1681.

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There was a charming frankness and nobility about the spirit in which the young proprietor set out upon his great enterprise. He admitted "that government was a business he had never undertaken," but he promptly assured those who were already settled in his province that they should be "at the mercy of no governor who comes to make his fortune great. You shall be governed by laws of your own making," he said, "and live a free and, if you will, a sober and industrious people." "For the matter of liberty and privilege," he declared, "I propose that which is extraordinary, and to leave myself and successors no power of doing mischief,—that the will of one may not hinder the good of a whole country." His wish was to honor God and the principles of the despised sect in whose service he had embarked his faith and his fortune. "The nations want a precedent," he said; and it was his hope to give it them as boldly and wisely as possible. It was his belief, as it was the belief of the great Edmund Burke a hundred years afterwards, "that any government is free to the people under it (whatever be the frame) where the laws rule and the people are a party to those laws." He meant that his colonists should have such freedom as his gift, and at the very beginning of their government.

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There were, when he set up his gentle rule, scarcely five hundred white men, all told, settled within the territory Charles had given him: a few tiny Swedish hamlets, a few Quaker families who had 'crossed the river from West Jersey, stragglers here and there, looking for good lands. There was something of a village at Upland (whose name Mr. Penn was presently to change to Chester), on the river, where the authority of the new proprietor was first proclaimed and his liberal plan of government made known in September, 1681; but the real creation of the colony was to follow, when colonists began to pour in under the new arrangement. In August, 1682, Mr. Penn added to his first grant from the King the lands lying about New Castle and below, by purchase from the Duke of York, to whom they had passed with the rest of New Netherland when the Dutch were ousted; and a few hundred more were thereby added to the number of his colonists, Dutch as well as Swedes, and a few score scattered groups of lonely settlers. Maryland hotly protested the new grant. Her own charter gave her the Delaware for eastern boundary. She had never acknowledged the title of the Dutch there, and thought the title of his Grace of York no better. But her protests were not heeded. Mr. Penn was determined not to be shut within the continent, but to get his own outlet to the sea, and took what the wilful Stuart granted him. The very month of that new grant, August, 1682, he himself took ship for his province, with a goodly company of Quakers, to begin the real planting of the new region. He reached the colony in October; and during that autumn and the winter which followed (1682-1683) no fewer than twenty-three ships came into the Delaware bringing immigrants; to be followed presently by other ships seeking trade.

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Within but a little more than a single year of his coming, Mr. Penn could boast, I have led the greatest colony into America that ever any man did upon a private credit, and the most prosperous beginnings that ever were in it are to be found among us." By 1685 there were more than seven thousand settlers there. Englishmen predominated among them, but almost one half the number were of other nationalities,—French, Dutch, Swedes, Germans, Finns, Scots-Irishmen, whoever would come, men of all creeds and kinds, who had sought out the free place and had been accorded an ungrudging welcome. A company of Welsh Quakers arrived before the proprietor himself (August, 1682), and settled upon a tract apart, which it had been agreed beforehand they should have. The next year came a little colony of Germans to obtain like privileges upon a grant of their own, and to make ready for others of their race, a great many, who were to follow. And so company followed company, now of one nationality and again of another, bringing what creed and what peaceful practices of self-government they pleased, to be received and given grants of land without question. Quakers for a while predominated, as Mr. Penn had wished. The German settlers were most of them Mennonites, whose creed and way of simple living were very like those Mr. Fox had preached. And where there were Quakers government was apt to be a very simple matter. Few officers were needed in their hamlets, and for a while no courts at all. They settled their common affairs not only, but the private quarrels, differences, and difficulties of their members also, very quietly in their own stated meetings, and seemed to know the secret of enforcing good temper as well as orderly conduct in a way very honorable to their principles.

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The chief town of the province was established at the confluence of the two fine rivers Delaware and Schuylkill, and Mr. Penn named it Philadelphia, wishing it to be a place of peace and good-will. At first those who were to build there lived in caves cut out of the bluffs which lined the river; but they were quick at substituting good houses. By the end of the year 1683 there were no fewer than one hundred and fifty dwellings built,—frail and cheap enough, no doubt, but sufficient until stone and brick could be had, and time in which to build with them. The change came very soon. The sober, substantial, yeomanlike folk who came into the colony preferred, whenever it was possible, to build of good, lasting stuff, and to build solidly and well. Before Mr. Penn sailed for home, in 1684, there were already three hundred and fifty houses erected, some of them several stories high, built with cellars and decorated with balconies. Outside the central town, with its busy two thousand colonists, there were quite fifty hamlets in the thriving province.

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Government did not go quite so easily after Mr. Penn returned to England. He left men behind who wished to have their own way, and whom no authority less than his own could restrain. "For the love of God, me, and the poor country," he wrote them, "be not so governmentish, so uneasy and open in your dissatisfaction." But, though the growth and prosperity of the colony were a little retarded by the bickerings of those left in control, there was, after all, less turbulence in the sober colony than Pennsylvania's neighbor settlements had made shift to put up with and survive. The government was liberal in all things, and very simple in its make-up,—upon the familiar model of deputy governor, council, and assembly. The courts did not attempt the elaborate procedure of the courts at home. There were not lawyers enough in the colony for that, and no one was very anxious to see more of them there. A very simple method of trial sufficed for simple causes, with or without juries as the parties to the suit might agree; and the Quakers at their periodical meetings saw to it that as few of their own people should resort to the courts as possible. That various population was of course too heterogeneous and too spirited not to give its rulers trouble; but it went on to prosper very well, and to make its way in the world in a fashion so orderly that its neighbors might well have looked on in envious wonder.

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For one thing, it kept peace with the Indians as its neighbors could not. The Quakers everywhere seemed to win the confidence of the redmen upon the instant, as Roger Williams had won it, whose doctrines and principles of life were so like their own. They won it by loving justice and keeping faith, and Mr. Penn set them an example which neither they nor any others who heard of it were likely to forget. He scrupulously purchased the land he occupied of its native owners. He hoped for their speedy civilization, and stipulated in the contracts which he made with those who in turn purchased from him that the Indians should have "the same liberties to improve their grounds and provide for the sustenance of their families as the planters" who were established there. There was something that took hold of men's imaginations in the sober conference he held with the Indians, as if with the leaders of an equal race, at Shackamaxon, June 23, 1683, and in the terms of the free treaty then entered into. Peace between the white men and the red in Pennsylvania rested always upon the firm foundations of mutual confidence which were laid that day. It was a peace whose guarantee was good-will and friendliness. It was a colony of rigorous laws. "Profanity, drunkenness, the drinking of healths, duelling, stage plays, masks, revels, bull-baiting, cock-fighting, cards, dice, and lotteries were all prohibited," and women might be fined for clamorous scolding, quite as in Puritan New England. But it was a more kindly rigor, as the Indians perceived. The New Englanders had sought to be just with the redmen; but the Quakers sought to add a gentle kindliness to justice, and their peace was more lasting than that of the English in the north.

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And yet not even their fine temper add quick spirit of justice could have so steadily held the restless redskins off from mischief had not the fates of the forest made their borders a place of peace. The Indians they dealt with were not the men who had once made that wilderness a place of dread and caution. Six years before Mr. Penn got his charter (1675) the formidable Susquehannocks, once masters there, had turned their faces to the south, beaten and in retreat before the implacable hatred of their kinsmen of the Five Nations at the north, and had gone to harry the borders of Maryland and Virginia and bring Mr. Bacon to his fate. There were now none but humble Delawares to be dealt with in Mr. Penn's province, men who paid their tribute right promptly to the masterful Iroquois who had driven the Susquehannocks out, accepted them as masters, and dared not lift a hand against the English, whom the Iroquois received and fought for as friends and allies.

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The next year after Mr. Penn's meeting with the Indians at Shackaniaxon saw an infinitely more important treaty concluded with the Indians in the north. This was the treaty made with the great Iroquois confederacy itself at Albany, on the 2nd of August, 1684, to secure the frontiers of the English alike against the redmen and against the French. The tribes of that memorable confederacy were the most capable and formidable anywhere to be found upon the eastern stretches of the continent. Their power extended from the lakes to the borders of the Carolina grant—as the Susquehannocks had reason to know. The Dutch in New Netherland had early won their friendship—the French in Canada their bitter enmity. It was with the firearms the Dutch had sold them that they had made themselves masters in all the Indian country north and south, and had brought their power to such a pitch that no settlement of the white man was safe without their good-will. The French had long ago sent missionaries among them, to speak to them both of the true God and of the sacred authority of his Majesty their king in France, and had used, through these, every argument of interest and every threat of power to bring them to an alliance; but the shrewd sachems who were their statesmen had stood out unchangingly against their advances, and had held fast to the English, seeing very clearly in their calm counsels, as they sat apart, how much greater the power of the white men grew in the south than in the north. The English governors of New York were as quick as the Dutch rulers of New Netherland had been to see the priceless value of this protecting friendship of the border, no less than of the great trade in furs of which it made Albany the mart and centre. They saw how it would serve them when it should come to the final rivalry between French and English for the possession of the interior of the continent; and they held the French off by a very close alliance with the masters of the forests.

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Governor Andros, being a soldier and man of affairs, had seen to this critical matter in person, going himself to the stronghold of the Mohawks and establishing a permanent board of Indian commissioners to keep warm the alliance with the powerful confederacy which the Mohawks represented. He was as efficient in the proper affairs of his own province of New York as he was arbitrary in pushing for authority beyond its borders in the Jerseys. And Colonel Thomas Dongan, whom the Duke of York selected to succeed him in the government of the colony, was no less watchful and competent. Had his Grace known as well how to choose servants and counsellors in England, he had fared better, and might have kept his throne when he came to it. Colonel Dongan was a soldier, an Irishman, and a Roman Catholic, and had served in the armies of France,—no good school for an English governor,—and yet he proved himself a wise ruler in a colony in which the Duke, his master, saw fit to permit liberty of conscience and to observe a very liberal policy in affairs.

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Colonel Nicolls had established a singular government in New York at the very outset, nineteen years ago. There was nobody in all its organization to represent the colonists. Its officers were appointed; its decrees were absolute. But its decrees were also liberal and just, made in the interest of the colony as well as in the interest of the Duke. Andros had been knighted for his services there, and was Sir Edmund when he went home in 1681 to explain his quarrel with Philip Carteret; and no wonder, for he had done a notable thing. He had strictly enforced the laws of trade, admitting no vessel to discharge her cargo at the great bay where his government was which had not paid duties or made clearances as the English statutes commanded; and, instead of breeding rebellion by what he did, had linked New York to the home ports in England by a direct trade across sea, which every year grew greater, and which steadily tended to make his province the chief home in all America of loyalty and cordial feeling for the mother country, a chief port of entry for English ideas and English sympathies.

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Colonel Dongan did no less for the Duke's authority, but in another way. In his treaty with the Indians, that notable treaty of August, 1684, he did no more than confirm the policy of Sir Edmund and the Dutch. What made the treaty so impressive an event was the presence and cooperation of Lord Howard of Effingham, now governor of Virginia. It was an agreement establishing not merely the safety of the borders of New York, but also the claim of the English to a sort of sovereignty and overlordship over all the great stretches of the continent south and southwest of Lake Ontario. It concerned Virginia no less than it concerned New York; and the redskins regarded it the more because of the presence of the ruler of the English in far-away Virginia, as well as of the Duke's governor in New York.

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Colonel Dongan had been instructed to play a very different role in the internal government of his province from that which Andros had played. Despite the very liberal measures adopted and the sound public spirit shown by the Duke's governors hitherto, it was not in English nature to be satisfied for twenty years together without such an assembly to speak and act for the people as every other colony had, north and south. Emphatic protests and a strong appeal crossed the sea close upon the heels of Sir Edmund Andros in 1681,—speaking not so much discontent with the Duke's governor as a firm and rooted objection to the form of government, which the colony now seemed entitled to say that it had outgrown; and the Duke thought it wise to yield. Colonel Dongan came, in August, 1683, instructed to appoint a council and call an assembly; and by October New York had a government like that of her neighbor colonies. No tax or imposition was to be laid or law made except by act of assembly,—and that looked like privilege enough. The new governor, too, might well be to the mind of all who liked candor and capacity. He had the blithe humor of his race, and was a man to approve and relish as a comrade; and yet his firm purpose and clear eye in all points of action made him also a man to respect, obey, and follow.

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And then, when all things seemed settled, of a sudden the whole sky changed, because in February, 1685, Charles II. died, and the Duke reigned in his stead, as James II.,—a man whom all the world knew to be a Roman Catholic, and presently discovered to be a tyrant, the more intolerable for his solemn bigotry. The same year Louis XIV., king in France, revoked the great Edict of Nantes, forbade the Protestants their worship in his kingdom, and so drove fifty thousand of the best people of France,—soldiers, men of letters, craftsmen, artificers,—forth from the land they had enriched, to make Holland, England, Brandenburg, and America so much the better off for their skill and thrifty industry. By spring-time Monmouth and Argyle were in the field, and England saw rebellion lift its head again, both in Scotland and in the south. It was an ominous beginning for the sullen King; and the colonies were to get their share of the change which his reign brought to Englishmen everywhere.

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It was a brief reign enough. James ran "is course of tyranny with a sort of bitter haste, and had finished the mad business before the fourth year of his rule was ended. The first year (1685) saw the brutal Jeffreys ride his bloody circuit through Somerset and Dorset, to hang, scourge, or behead those who had incurred suspicion of sympathy, were it never so remote or slight, with Monmouth's rising. More than eight hundred persons were sold into slavery over sea; three hundred and fifty said to be rebels were hanged; women were scourged from market-town to market-town, sent to the block, or burned; and all England stood horror-stricken to see the King's revenge and bitter hate. The next year saw him openly bent upon freeing the Romish Church by his own authority from all restraint of law. Statutes he set aside by the use of what he said was the crown's prerogative. He declared all creeds free; but he' forbade the ministers of the established Church to preach its Protestant doctrine. Bishops who would not yield to his will he haled before the courts; and, lest the ordinary courts should prove disobedient, he set up a special Court of Ecclesiastical Commission, to do what he should bid in the discipline of the Church. He maintained a standing army without the consent or vote of Parliament, and levied taxes without its authorization. He was as subservient to France as to the Church of Rome, and admitted no one to his counsels who would not accept his creed and do his bidding.

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It was strange the nation held its hand so long; and yet the end came swiftly enough. By midsummer, 1688, those who were ready to risk their lives and fortunes for England's constitution had urgently prayed William, Prince of Orange, to come into England, put James from his throne, and save their liberties. William was husband to Mary, James's daughter; was a Protestant, a statesman, and a man of honor. He came with an army at his back. But it was not necessary to conquer England. She knew her straits and was ready and glad to receive him. James miserably fled; the Parliament accepted his flight as a voluntary abdication; and the throne went by act of Parliament to William and Mary. Thus was accomplished what men who loved the ancient liberties of England were afterwards to look back to as "the glorious Revolution of 1688." No king should henceforth pretend to any right to rule without consent of the Parliament, or in despite of the liberties of the nation which had executed Charles, ousted Janies, and re-established the throne in such fashion as suited its sense of justice and its own security. It was the formal setting up, as public law of England, of the bold doctrine of the people's rights which Sir Edwin Sandys had preached from his place in the Commons seventy-six years ago to the deep displeasing of James I. The momentous thing was over and complete by February, 1689; and it was then just four years since Charles II. died.

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For the northern colonies in America those four years had meant a memorable change of government, as ill to live under, almost, as the tyranny in England. For a little while after the loss of her charter in 1684 affairs had moved on smoothly and without serious incident in Massachusetts, though half-heartedly enough, it was plain, under a provisional government, waiting to see what the crown would do. The death of King Charles delayed a settlement; but James, when he came to the throne, very promptly showed what he meant to do. He resolved to put Massachusetts and the colonies lying immediately about her into the hands of a royal governor and an appointed council, without an assembly or any other arrangement for a participation of the people in the management of their affairs. At first (May, 1686) he named Joseph Dudley "President of the Council for Massachusetts Bay, New Hampshire, and Maine, and the Narragansett country, or King's Province," but gave him no authority to alter law or impose taxes. But that was only a temporary arrangement. The real change came with the arrival of Sir Edmund Andros, in December, 1686, to be "Governor-General and Vice-Admiral"; and Plymouth was added to his government.

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Joseph Dudley had been unwelcome enough. It was a bitter thing for the people of Massachusetts to have this man, whom they deemed a traitor, nothing less, set over them. He was the son of Thomas Dudley, the stern Puritan of their day of first exile and settlement, who had been second to great Winthrop in the founding of the colony. And now Thomas Dudley's son, once their agent in London to defend their charter, had consented to serve the crown in the overthrow of their liberties. But Andros was worse. Dudley was at least timid, and time-serving and doubtful of his power; but Sir Edmund came with instructions and with a temper of command which no one could mistake. He meant no rank injustice, indeed, but he was no statesman, knew only the rough way of the soldier in carrying out his instructions, and had very definite and unpalatable instructions to carry out. He was bidden appoint persons of the best character and estate to his council, and to disturb the existing law of the colonies as little as possible; but he was also commanded to allow no printing press within his jurisdiction; to insist upon a universal toleration in matters of religion, especially upon the encouragement of the worship of the Church of England; and to execute with vigilance and vigor the laws of trade. He was given, too, a small number of royal troops for his support, whose red coats were sadly unwelcome in Boston. Worst of all, he was authorized to govern and to lay taxes without an assembly.

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This was evidently the sort of government the King meant to set up everywhere in the colonies. He had instructed the officers of the crown almost at the very outset of his reign to secure the annulment of the other colonial charters, and suits had already been prosecuted in the courts against Connecticut and Rhode Island, against the Carolina grants, and even against those he had himself given only the other day in New Jersey. The next year after Andros's coming (1687) he turned upon Maryland. New York and Virginia were already practically his own, to deal with as he pleased. The same year Andros went to Boston, Governor Dongan, of New York, was instructed to forbid the popular assemblies granted but three years before. He was commanded, too, as Andros was, "to allow no printing press." James meant to be master everywhere, and to permit not so much as a word of public comment upon what his servants did; and all America felt the change. Before the first month of his administration was over, Andros, acting upon the King's command, had dissolved the government of Rhode Island, and assumed control of its affairs. The next year he did the same in Connecticut; and in 1688 New York and the Jerseys were nominally added to his government, Francis Nicholson acting as his deputy there.

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The chief general authorities for the history of Pennsylvania during the seventeenth century and the first years of the eighteenth are the second volumes of Bancroft and Hildreth the second volume of Bryant and Gay's Popular History of the United States; John Fiske's Dutch and Quaker Colonies; F. D. Stone's The Founding of Pennsylvania, in the third volume of Winsor's Narrative and Critical History of America; S. M. Janney's Life of William Penn; C. B. Keen's New Sweden, or the Swedes on the Delaware, in the fourth volume of Winsor; Thomas F. Gordon's History of Pennsylvania from its Discovery by Europeans to 1776; Samuel Hazard's Annals of Pennsylvania from the Discovery of the Delaware, 1609-1682; and Robert Proud's History of Pennsylvania from the Original Settlement in 1681 till after the Year 1742.

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The chief sources are to be found in Samuel Hazard's Pennsylvania Archives; Minutes of the Provincial Council of Pennsylvania; Colonial Records of Pennsylvania; Duke of Yorke's Book of Laws (1676-1682) and Charter to William Penn and Laws of 'the Province of Pennsylvania passed between 1682 and 1700, compiled by Staughton George and others; Votes and Proceed-ings of the House of Representatives of the Province of Pennsylvania; Memoirs of the Pennsylvania Historical Society; Ben Perley Poore's The Federal and State Constitutions, Colonial Charters, and other Organic Laws of the United States; The Pennsylvania Magazine of History and Biography; and Stedman and Hutchinson's Library of American Literature.

Part 10: The Revolution

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HAPPILY the new tyranny had no longer life in America than in England. It came promptly enough to its end when the news reached the colonies of James's disgrace and flight and William's coming. The Boston people rose, as if by a common instinct; seized Andros and his officers; seized the fort; seized even the King's frigate lying in the harbor; and resumed their old government under their old magistrates, to await further tidings from over sea. The other colonies round about followed suit. Sir Edmund had got himself well hated. He was an honest, well-meaning man enough, a plain and not very quick-witted soldier who executed his orders quite literally; but he was arbitrary and harsh, and showed sometimes an unwise and ugly temper when he was opposed. And the orders he tried to execute were intolerable to the people of the once free colony he governed. He levied taxes by the authority of the crown; he demanded quit-rents of all the land owners of the colony, because the loss of the charter, he was told by the law officers in England, destroyed the right of the colonists to the land they had acquired under it; he forbade even the ordinary town meetings; and he sought to crush opposition by harsh punishments. To these Puritans it was no small part of the trying experience that he encouraged some to set up a society to worship after the manner of the Church of England, and use the hated prayer-book; and that in 1688 the Episcopal congregation thus formed built a place of worship, which they called King's Chapel, in Boston. It was a happy day when they got rid of the hateful tyranny; and an assurance of better times when they presently learned that the new government at home approved what they had done, and were willing that they should send Sir Edmund and his fellow prisoners to England for trial.

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The action of the people was no less prompt and decisive in New York, James's own province. Francis Nicholson, Andros's deputy in New York and the Jerseys, was as little liked there as Andros himself was In Boston. Both he and the members of his council, because they supported him, were looked upon as tools of a papist king, and New York was Dutch and Protestant. The two regiments of the King's regulars Sir Edmund had brought with him upon his second coming out, to be governor of all the northern coast, were Irish Catholics every man, and Nicholson had come out as commander of one of them. To the uneasy suspicions of the critical Protestants of the little seaport, affairs wore the ugly look of having brought them into the power of men who must of necessity prove the enemies of a Protestant king. With news of the revolution in England, moreover, came also news of war with France, the ousted King's Romish friend and ally; and the King's officers fell into an evident panic. While they hesitated what to do, a captain of the men-at-arms they had called together for their defence seized the fort and the government in the name of the Prince of Orange. This was Jacob Leisler. He had come to the colony close upon thirty years before (1660), as a soldier in the employ of the Dutch West India Company; had thriven in trade and made a place of influence for himself among the colonists; and now stepped forth as their champion against the officers of the papist King whom the Parliament had deposed.

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It was the news of war that chiefly wrought upon the fears of the town. It was yet spring-time, 1689, and the news that war had actually begun reached New York, a hasty rumor, before the fact. But it spoke truth, nevertheless; and no man could be ignorant what special interest New York had in the matter. Louis of France was in fact planning that very spring how he should make the place his own, to the undoing of the English in America. With the coming of summer his plans were complete. The veteran, indomitable Frontenac, master, if any man was, of the strategy of the forest, was to go back to Canada to take a force of one thousand French regulars and six hundred Canadians through the northern wilderness to Albany, thence to sweep down the river and meet the King's fleet, sent timely out of France, at New York; and France was to be mistress at the centre of the continent before another winter was out, ready to strike a final blow, first at the Iroquois behind her in the forests, and then at the English on the northern coasts. France made no sign as yet; the whole plan kept covert in Paris, a closely guarded secret; no one in America knew what was afoot. But some seemed able to divine. A keen foreboding quickened the faculties of all who thought upon the hazard of fortunes in the struggle that had all but come; the air seemed full of something,—who could tell what?—and rumors crept through the forests and along the coasts in which men seemed to guess what Louis planned.

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Not a few newcomers to the busy settlements which lay about the bay at New York had special reason to fear to see Louis strike. It was but four years since the revocation of the Edict of Nantes. Many a Huguenot family had found welcome there and a refuge from death, and knew not what fresh misfortune might overtake them should their insensate King take also these free coasts of the New World. Every rumor bred a deeper uneasiness. No ship came in at the Narrows which did not seem for a moment to be come out of France, no group of ships that did not look like a fleet of French frigates. Nothing was so easy as to throw the simpler people of the little town into a state of mind to be glad of any friendly leadership which seemed to make them safe against plotting Catholics, whether out of France or out of England. Leisler was sure of the sympathy of the crowd, and seemed to it to give proof of honesty in all that he did. As a matter of fact, there was no danger. Colonel Dongan had done his work too well in the diplomacy of the forest. He had won the lroquois to an alliance of which they gave, that very summer, instant and timely proof. As if some English statesman had set their work for them, they made King Louis's plans impossible before ever they were put upon the field. Frontenac reached Canada in October to find that all the northern wilderness had been swept as with a flame by the fierce warriors of the great confederacy. The fur trade of the lakes was cut off; the posts upon the frontiers were taken and plundered; Montreal itself was barely saved from capture and destruction. There could be no expedition to Albany after that season's work of rapine and slaughter.

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But New York did not know how safe it was; and Leisler had his day. It might have been well enough, had he stopped with thrusting Nicholson aside and assuming to play the new King's partisan and governor till the air should clear. But he did not. For a year and a half he maintained himself as governor, in the new King's name, but without his authority. He even resisted commissioned officers of the King, until a governor sent from England came; and then he was hanged for treason. It was a sad, unjust end. The man had been hot-headed, arbitrary, blind, and wilful, and had done much that the law could not sanction in order to have his own way; but he had done all, even that which was the deepest folly, in good faith. He had meant to serve the community he ruled, and had planned no treason against the King. There had been not a little of the heat of parties at the bottom of the trouble. The greater land owners, the King's officials, and the rich merchants had wished Nicholson to keep the government until the new King should send some one in his stead. The small tradesmen, the artisans, and the sailors of the town heard that there was war with France, and that a French fleet was coming against the place, and believed that the rich men and the officials among them were no lovers of common men's liberties, or of a Protestant church, either; and Leiser was their leader. His condemnation was a thing resolved upon and hurried to its execution in New York, not commanded from over sea; and in 1695 Parliament itself took off the stain of treason from his name.

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In Maryland those who were unquiet and did not like the proprietor's government took advantage of the time to overthrow it. There were men enough who had watched for such a chance. Though discontent with the proprietor's government had met very sharp frustration and rebuke twelve years ago, when Davis and Pate went to the gallows for the treason of emulating the example of Mr. Bacon in Virginia, as many wanted a change now as had wanted it then, and this new opportunity seemed made for any who chose to act upon its invitation. The mere fact of being governed like a private estate and medieval county palatine was very irksome to the more ambitious spirits of the colony; and the more closely and sedulously the proprietor attended to his government the more irksome did it become. He dealt very harshly with opposition; he openly interfered with elections to the assembly; he disallowed and set aside such legislation as he did not like; he gave the offices fif government to men of his own kin or personal following; and the taxes were not always spent for the public benefit. It was like the government of Virginia with a petty king in residence. And that petty king, every one knew, was of the popish party, whose part the great King at home had played to his own undoing. Men fancied they saw new popish plots in every trivial incident or shifting of affairs. If the panic had touched New York and turned her government upside down, it was little to be wondered at that it touched Maryland also. Richard Talbot, Duke of Tyrconnel, the officer who reduced Ireland "from a place of briskest trade and best paid rents in Christendom to ruin and desolation," and who had dared hold it for James Stuart, despite the Parliament in London and the authority of the Prince of Orange, was of Lord Baltimore's kin and his very close friend; and Maryland teemed as no other colony did with Ro man Catholic partisans. Lord Baltimore was, in fact, no laggard in his loyalty. He promptly despatched instructions out of England commanding te immediate proclamation of King William and Queen Mary to the province; but his messenger died on the way, and Maryland seemed to lag behind the other colonies in her loyalty. Upon which one John Coode, and some others, pretending, perhaps believing, that the proprietor's officers in the colony meant to defy the crown and establish 'papacy, got together an "Association in Arms for the Defence of the Protestant religion, and for asserting the right of King William and Queen Mary to the Province of Maryland and all the English dominions," officers of the militia and the very Speaker of the colonial House acting with them; seized the government of the colony (1689); convinced the King of their sincerity and good faith in what had been done, though many of the best people in the colony protested; ruled as their party pleased for two years; and then welcomed a royal governor (1692). They had made Maryland a royal province out of hand. Lord Baltimore was henceforth to receive only his quit-rents and the proceeds of the export duties.

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It was a Protestant revolution with a vengeance. Taxes were ordered levied for the support of the Church of England. The immigration of Roman Catholics was prohibited and the public celebration of the mass forbidden by law. The seat of government was removed from St. Mary's, where the Catholic families held sway to whom the colony had owed its establishment, and set up at Providence, presently to be known as Annapolis, where the Protestant influence centred. Maryland was transformed.

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Everywhere in the colonies there was doubt for a little while what government to obey, until things should be settled in England, and his Majesty King William should have time to turn his attention to affairs in America. Nowhere was the doubt more embarrassing than in East and West Jersey, which seemed left without any general government at all. Formal negotiations had been afoot in 1688, the very year of the revolution, for the surrender of the rights of the East Jersey proprietors to the crown; repeated transfers of proprietorship and redivisions of jurisdiction, both by private sale and public grant, had from the first sadly confused authority in the province; and when news came of what had happened in England, some doubted whether there were either royal authority or private right for the government of the growing hamlets of either colony. Affairs presently settled even there, however, to their normal frame again. For quite fourteen years longer the proprietors kept their right to appoint governors and exercise superintendence there. The settlers in the two provinces, moreover, were for the most part hard-headed English and Scottish people, who were not to be disconcerted in the management of their own affairs by trouble in England or the mere lack of a settled general government. For quite three years (1689- 1692) they waited, without disturbance or excitement or any unusual interruption of their quiet life, under the direction of their town and county officers; until at last they learned what their government as a province was to be. There were already five organized counties in East Jersey, and had been these twenty years, since before the second coming of the Dutch (1674); and ten thousand people crowded their little towns and the cleared spaces of the forest about them. West Jersey, on the other side of the forests, by the Delaware, had grown almost as fast. Both provinces had the means and the men to take care of themselves.

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It was not very long, after all, before government became a settled and ordered power again under the new King. William of Orange was a businesslike master, a real governor, not likely to do less, likely, rather, to do more, than either James or Charles in the government of the colonies; and the colonies felt the power of his systematic way of rule very soon. The old charters of Connecticut and Rhode Island were presently recognized again and confirmed; but Massachusetts, instead of her old, got a new charter. Plymouth lost her separate rights altogether and was merged with Massachusetts; and many things were changed. It must have seemed to the older men in the towns of the Plymouth grant as if the old freedom and dignity of their life had been done away with forever. Plymouth was the oldest of the northern colonies, and had kept through all the long seventy years of her separate life not a little of the fine temper, the sober resoluteness, steadfastness, moderation, and nobility given to her at the first by her pilgrim founders. Surely the King's advisers had forgotten her story when they thus summarily and without compunction handed her government and territory over to Massachusetts, to be, as it were, obliterated and robbed of their identity! But such, it seemed, was their way of bringing system into the administration of the northern colonies.

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The new charter was granted in 1691. It not only joined Plymouth to Massachusetts, but Maine also, carrying the northern borders of the province to the very banks of the St. Lawrence. But, though it extended her boundaries, it curtailed her liberties, and it was this that the men of the Bay principally noted. Their governor was thenceforth to be appointed by the crown. There were to be courts of admiralty, customs officers, and a post-office service directly dependent upon the ministers in London. There was to be a representative General Court, almost as before, consisting of the governor, his council, and a house of deputies, and the governor's council of twenty-eight was to be every year, after the first, elected by the General Court itself, in which the people's representatives predominated. Only the General Court could lay taxes and make general laws. But the King's governor was to have the right to veto any law of which he did not approve, and the crown behind him might set the Court's enactments aside, as disallowed, at any time within three years after they were passed. All the old rules as to who should vote for deputies, too, were changed. The right to vote was no longer to be confined to members of the Puritan churches; it was to be exercised by every man who had forty pounds' worth of personal property, or a freehold estate in land worth two pounds a year. Judges were to be appointed by the governor and council; all other officials of the colony by the governor alone.

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It was something to have one of their own fellow colonists, a familiar figure among them, at least, for their first governor under the new arrangement, though that did not alter his powers, and he was hardly the man they would themselves have chosen. Sir William Phips was only a rough, pushing, self-made sailor, one of the youngest of the twenty - one sons of an humble gunsmith in a little settlement close by the mouth of the far-away Kennebec. He had been a ship's carpenter, a common seaman, a ship's captain,—always sanguine, always adventurous, always on the make, risking everything to win his way, and as cheerful and hearty and full of confident plans when he had lost as when he had won. At last he had actually made the fortune he was in quest of, by finding and recovering the treasure of a sunken Spanish galleon in the southern seas. He had been much in England, and had won favor in the court and out of it by his bluff and honest energy and unfailing good-will, and his breezy manners, brought fresh from the salt seas. King James had knighted him Sir William for the Spanish treasure he brought into England, and had made hint high sheriff of New England when Sir Edmund Andros was governor there. In the year 1690, the year before the new charter was signed, he had led an expedition into the north and taken Acadia from the French, with much excellent private plunder, and then had failed in an expedition against Quebec. He was no statesman, and it was not pleasant for any man to be the first governor under the new charter; but bluff Sir William, known to every man in Boston, was better than a stranger might have been.

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The new King's coming to the throne in England had brought war in its train, a long war with the French, as every one had foreseen it must, "King William's War," they called it in the colonies; and war with the French meant fear and massacre on the northern borders, where the French were but too apt at stirring the Indians to their fierce attacks even in times of peace. It was this war Jacob Leisler had heard would surely bring French ships into New York and a Roman Catholic government. It gave Sir William Phips leave to make his expeditions against the north, for adventure and profit, instead.

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In 1692 a distemper showed itself at Salem, in Massachusetts, which seemed for a little blacker than war itself,—an ominous distemper of the mind. It was the year of frenzy against what men fancied to be witchcraft, and Salem, where the chief madness was, saw nineteen persons swing upon her gallows hill for commerce with the devil. Some really believed them witches; some schemed to send their personal enemies to the gallows with a false charge. Governor Phips was induced to appoint special courts for the trial of the witches; and a long year went by before men's better thoughts, natural pity, and awakened consciences called a halt upon the murderous frenzy, and Salem, with all the province, tried to forget what had been done to the innocent.

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In that year, 1692, the King appointed Benjamin Fletcher to be governor of New York, and of Pennsylvania as well, which he was instructed to bring within his jurisdiction, for the consolidation of government; and Sir Lionel Copley, appointed in 1691, became royal governor of Maryland. Sir Edmund Andros, too, was that year once more commissioned governor, this time of Virginia, and stayed there full five years, a quieter if not a wiser man than in the days of King James. The Virginians did not wholly dislike him, taking him for what he was, a rough soldier, more efficient than patient, who meant to do his duty according to his instructions, but did not know how to do it in the wise way for his own interests and the general peace. He honestly devoted himself to the welfare of the colony, encouraged the growth of cotton in order that cloth might be made, improved the methods of administration, and sought in more than one way to better the sources of wealth. But the Virginians liked as little as the other colonists did his zeal in the enforcement of the acts of trade; and his arbitrary temper ruined him at last by bringing him into collision with James Blair.

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Andros's predecessor in the governorship of Virginia had been Francis Nicholson, a man who had been hardly more than a tool of James's tyranny a little while before in New York, but who was at heart something better than a mere placeman. He was intemperate, and in private often showed himself gross and licentious; but he had some of the gifts of a statesman, and in quiet Virginia devoted himself very steadily to the welfare of the people he governed, no less than to the advancement of the general interests of the crown. James Blair had found in him an intelligent friend, and not an opponent, when he sought to set up a college in the colony. A great deal of Virginian politics centred in Mr. Blair. He was a Scotsman bred to orders in the English Church, and was but thirty-six when Sir Edmund Andros was made governor of Virginia. He had come to the colony in 1685, at twenty-nine; and in 1699, the year Mr. Nicholson became governor, he had been appointed commissary for Virginia by the Bishop of London, and as the bishop's commissary there it was Mr. Blair's duty to inspect, report upon, and administer discipline in the church of the colony. He made it his first task to establish a college,—the assembly, the governor, and every true friend of Virginia at his back in the enterprise,—in order that education might sustain order and enlightenment. The King granted a charter and revenues to the college in 1692; the merchants of London subscribed right handsomely; Governor Nicholson handed over to it three hundred and fifty pounds voted to him by the assembly; and Virginia at last had the college she had wished and planned for ever since the days of Sir George Yeardley. It was agreed that it should be called the College of William and Mary.

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But when Sir Edmund Andros came, Mr. Nicholson being sent to administer the affairs of Maryland, it was found, after a few years' trial, that he and Mr. Blair could not live in the same colony. Mr. Blair was as hot-tempered as Sir Edmund, and spoke his mind in as choleric and unstinted a way. But Mr. Blair, though he was often boisterous, generally managed, after the canny Scots manner, to be right as well, and generally had both the law and the interests of the colony on his side when it came to a contest, while Sir Edmund had a great talent for putting himself in the wrong. When at last it came to a breach between the two, therefore, as it did, Sir Edmund lost and Mr. Blair won. Sir Edmund was recalled to England, and Mr. Nicholson was named governor once more. It was a long time before Mr. Blair ceased to reign in Virginia. Mr. Nicholson became instrumental in removing the capital from Jamestown, which Mr. Bacon had burned, to Williamsburg, more wholesomely placed, ten miles back from the river. The college also had been placed there; and there Mr. Blair continued to preside as governors came and went.

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For the authorities and sources for this period, see the references under Sections I. to V. and VII. to IX. of this chapter, so far as they cover the later years of the seventeenth century.

History of the American People

Volume 2: Colonies and Nation

Chapter 1:

Common Undertakings

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THERE had been some noteworthy passages in the reports which Colonel Francis Nicholson sent to the government at home when he was first governor of Virginia (1690); for he studied his duties in those days with wide-open eyes, and had sometimes written of what he saw with a very statesmanlike breadth and insight. It was very noteworthy, among other things, that he had urged a defensive confederation of the colonies against the French and Indians, under the leadership of Virginia, the most loyal of the colonies. He had made it his business to find out what means of defence and what effective military force there were in the other colonies, particularly in those at the north, conferring with their authorities with regard to these matters in person when he could not get the information he wished by deputy. The King and his ministers in England saw very clearly, when they read his careful despatches, that they could not wisely act upon such suggestions yet; but they knew that what Colonel Nicholson thus openly and definitely advised was what must occur to the mind of every thoughtful and observant man who was given a post of authority and guidance in the colonies, whether he thought it wise to advise action in the matter or not. It was evident, indeed, even to some who were not deemed thoughtful at all. Even the heedless, negligent Lord Culpeper, little as he really cared for the government he had been set to conduct, had suggested eight years ago that all questions of war and peace in the colonies should be submitted for final decision to the governor and council of Virginia, where it might be expected that the King's interests would be loyally looked after and safe guarded.

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No doubt the colonies would have objected to and resisted such an arrangement with a very hot resentment, and no one in authority in London dreamed for a moment of taking either Lord Culpeper's or Colonel Nicholson's advice in the matter; but it was none the less obvious that the King and his officers must contrive some way, if they could, by which they might use the colonies as a single power against the French in America, if England was indeed to make and keep an empire there. If King James, who leaned upon France as an ally and prayed for the dominion of the Church of Rome, had seen this, it was not likely that William of Orange, who was the arch-enemy of France and the champion of Protestantism against Rome, would overlook it. He was no sooner on the throne than England was plunged into a long eight years' war with the French. And so it happened that the colonies seemed to reap little advantage from the "glorious revolution" which had put out a tyrant and brought in a constitutional King. William of Orange, it presently appeared, meant to unite groups of colonies under the authority of a single royal governor, particularly at the north, where the French power lay, as James before him had done; giving to the governors of the principal colonies the right to command the military forces of the colonies about them even if he gave them no other large gift of power. He did more than James had done. Being a statesman and knowing the value of systematic administration, he did systematically what James had done loosely and without consistent plan. The Board of Trade and Plantations, which he organized to oversee and direct the government of the colonies, did more to keep their affairs under the eye and hand of the King than any group of James's ministers had been able to do. The great Dutch King was determined to wield England and her possessions as a single imperial power in the game of politics he was playing in Europe.

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The French power, which he chiefly feared, had really grown very menacing in America; was growing more so every year; and must very soon indeed be faced and overcome, if the English were not to be shut in to a narrow seaboard, or ousted altogether. It was not a question of numbers. It was a question of territorial aggrandizement, rather, and strategic advantage. Probably there were not more than twelve thousand Frenchmen, all told, in America when William became King (1689); whereas his own subjects swarmed there full two hundred thousand strong, and were multiplying by the tens of thousands from decade to decade. But the French were building military posts at every strategic point as they went, while the English were building nothing but rural homes and open villages. With the French it did not seem a matter of settlement; it seemed a matter of conquest, rather, and of military occupation. They were guarding trade routes and making sure of points of advantage. The English way was the more wholesome and the more vital. A hardy, self-dependent, crowding people like the English in Massachusetts and Virginia, and the Dutch in New York, took root wherever they went, spread into real communities, and were not likely to be got rid of when once their number had run into the thousands. Their independence, too, and their capable way of managing their own affairs without asking or wanting or getting any assistance from government, made them as hard to handle as if they had been themselves an established continental power. But the French had an advantage, nevertheless, which was not to be despised. They moved as they were ordered to move by an active and watchful government which was in the thick of critical happenings where policies were made, and which meant to cramp the English, if it could not actually get rid of them. They extended and organized the military power of France as they went; and they were steadily girdling the English about with a chain of posts and settlements which bade fair to keep all the northern and western regions of the great continent for the King of France, from the mouth of the St. Lawrence round about, two thousand miles, to the outlets of the Mississippi at the Gulf.

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Their movement along the great rivers and the lakes had been very slow at first; but it had quickened from generation to generation, and was now rapid enough to fix the attention of any man who could hear news and had his eyes abroad upon what was happening about him. Jacques Cartier had explored the noble river St. Lawrence for his royal master of France a long century and a half ago, in the far year 1535, fifty years before the English so much as attempted a settlement. But it was not until 1608, the year after Jamestown was begun, that Samuel de Champlain established the first permanent French settlement, at Quebec, and there were still but two hundred lonely settlers there when nearly thirty years more had gone by (1636). It was the quick growth and systematic explorations of the latter part of the century that made the English uneasy. The twelve thousand Frenchmen who were busy at the work of occupation when William of Orange became King had not confined themselves to the settlements long ago made in the Bay of Furidy and at Montreal, Quebec, and Tadousac, where the great river of the north broadened to the sea. They had carried their boats across from the upper waters of the Ottawa to the open reaches of Lake Huron; had penetrated thence to Lake Michigan, and even to the farthest shores of Lake Superior, establishing forts and trading posts as they advanced. They had crossed from Green Bay in Lake Michigan to the waters of the Wisconsin River, and had passed by that easy way into the Mississippi itself. That stout-hearted pioneer Pare Marquette had descended the Father of Waters past the Ohio to the outlet of the Arkansas (1673); and Robert La Salle had followed him and gone all the long way to the spreading mouths of the vast river and the gates of the Gulf (1682), not by way of the Wisconsin, but by crossing from the southern end of Lake Michigan to the stream of the Illinois, and passing by that way to the Mississippi.

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And so the lakes and the western rivers and the Mississippi itself saw the French; and French posts sprang up upon their shores to mark the sovereignty of the King of France. Frenchmen easily enough learned the ways of the wilderness and became the familiars of the Indians in their camps and wigwams; and they showed themselves of every kind,—some rough and lawless rovers, only too glad to throw off the restraints of the orderly life to which they had been bred and live as they pleased in the deep, secluded forests, trading without license, seeking adventure, finding a way for the civilization which was to follow them, but themselves anxious to escape it; others regular traders, who kept their hold upon the settlements behind them and submitted when they were obliged to official exactions at Montreal; some intrepid priests, who preached salvation and the dominion of France among the dusky tribes, and lived or died with a like fortitude and devotion, never willingly quitting their sacred task or letting go their hold upon the hearts of the savage men they had come to enlighten and subdue; some hardy captains with little companies of drilled men-at-arms from the fields of France:—at the front indomitable explorers, far in the rear timid farmers clearing spaces in the silent woodland for their scanty crops, and little towns slowly growing within their walls where the river broadened to the sea.

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This stealthy power which crept so steadily southward and westward at the back of the English settlements upon the coast was held at arm's length throughout that quiet age of beginnings, not by the English, but by a power within the forests, the power of the great confederated Iroquois tribes, who made good their mastery between the Hudson and the lakes: the Senecas, Cayugas, Onondagas, Oneidas, and Mohawks. They were stronger, fiercer, more constant and indomitable, more capable every way, than the tribes amidst whom the French moved; and Champlain had unwittingly made them the enemies of the French forever. Long, long ago, in the year 1609, which white men had forgotten, he had done what the Iroquois never forgot or forgave. He had come with their sworn foes, the Algonquins, to the shores of that lake by the sources of the Hudson which the palefaces ever afterwards called by his name, and had there used the dread fire-arms of the white men, of which they had never heard before, to work the utter ruin of the Mohawks in battle. They were always and everywhere ready after that fatal day to be any man's ally, whether Dutch or English, against the hated French; and the French found it necessary to keep at the back of the broad forests which stretched from the eastern Lakes to the Hudson and the Delaware, the wide empire of these dusky foes, astute, implacable. They skirted the domains of the Iroquois when they were prudent, and passed inland by the lakes and the valley of the Mississippi.

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But, though they kept their distance, they advanced their power. The colonists in New England had been uneasy because of their unwelcome neighborhood from the first. Once and again there had been actual collisions and a petty warfare. But until William of Orange made England a party to the great war of the Protestant powers against Louis XIV. few men had seen what the struggle between French and English held in store for America. The English colonies had grown back not a little way from the sea, steadily pushed farther and farther into the thick-set forests which lay upon the broad valleys and rising slopes of the interior by mere increase of people and drift of enterprise. Before the seventeenth century was out adventurous English traders had crossed the Alleghenies, had launched their canoes upon the waters of the Ohio, and were fixing their huts here and there within the vast wilderness as men do who mean to stay. Colonel Dongan, the Duke's governor in New York (1683), like many another officer whose duties made him alert to watch the humors and keep the friendship of the Iroquois, the masters of the northern border, had been quick to see how "inconvenient to the English" it was to have French settlements "running all along from our lakes by the back of Virginia and Carolina to the Bay of Mexico." There was keen rivalry in trade, and had been these many years, between the men of the English and Dutch colonies and the men of the French for the profitable trade in furs which had its heart at the north; and it was already possible for those who knew the forest commerce to reason right shrewdly of the future, knowing, as they did, that the English gave better goods and dealt more fairly for the furs than the French, and that many of the very Frenchmen who ranged the forests in search of gain themselves preferred to send what they had to Albany for sale. But, except for a few lonely villages in far-away Maine, there was nowhere any close contact between French and English in America. Few, except traders and thoughtful governors and border villagers, who feared the tribes whom the French incited to attack and massacre, knew what France did or was planning.

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King William's War (1689-1697), with its eight years of conscious peril, set new thoughts astir. It made America part of the stage upon which the great European conflict between French and English was to be fought out; and immediately a sort of continental air began to blow through colonial affairs. Colonial interests began to seem less local, more like interests held in common, and the colonies began to think of themselves as part of an empire. They had no great part in the war, it is true. Hale Sir William Phips, that frank seaman adventurer, led an expedition against Acadia in 1690, took Port Royal, and stripped the province of all that could be brought away; but that had hardly had the dignity of formal war. He had chiefly relished the private gain got out of it as a pleasant reminder of that day of fortune when he had found the Spanish treasure-ship sunk upon a reef in far Hispaniola. His second expedition, made the same year against Quebec, no doubt smacked more of the regular business, for he undertook it as an accredited officer of the crown; but when it failed it is likely he thought more of the private moneys subscribed and lost upon it than of the defeat of the royal arms. There was here the irritation, rather than the zest, of great matters, and the colonial leaders were not becoming European statesmen of a sudden. Their local affairs were still of more concern to them than the policies of European courts. Nevertheless the war made a beginning of common undertakings. The colonies were a little drawn together, a little put in mind of matters larger than their own.

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New York felt herself no less concerned than Massachusetts and Maine in the contest with the French, with its inevitable accompaniment of trouble with the Indians; and Jacob Leisler, plebeian and self-constituted governor though he was, had made bold to take the initiative in forming plans for the war. Count Louis de Frontenac had been made governor of New France the very year William established himself as king in England (1689), and had come instructed, as every Englishman in America presently heard rumor say, to attack the English settlements at their very heart,—at New York itself. It was this rumor that had made Leisler hasten to seize the government in King William's name, seeing King James's governor hesitate, and hearing it cried in the streets that the French were in the very Bay. He had thought it not impossible that James's officers might prove traitors and friends of King Louis in that last moment of their poker. And then, when the government was in his hands, this people's governor called a conference of the colonies to determine what should be done for the common defence. Massachusetts, Plymouth, and Connecticut responded, and sent agents to the conference (1690), the first of its kind since America was settled. It was agreed to attempt the conquest of New France. Sir William Phips should lead an expedition by sea against Quebec; and another force should go by land out of Connecticut and New York to attack Montreal, the only other stronghold, taking their Iroquois allies with them. But the land expedition was every way unfortunate, and got no farther than Lake Champlain. Frontenac was able to devote all his strength to the defence of Quebec; and Sir William Phips came back whipped and empty-handed. The first effort at a common undertaking had utterly miscarried.

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But that was not the end of the war. Its fires burned hot in the forests. Frontenac prosecuted the ugly business to the end as he had begun it. He had begun, not by sending a fleet to New York, for he had none to send, but by sending his Indian allies to a sudden attack and savage massacre at Schenectady, where sixty persons, men and women, old and young, saw swift and fearful death (1689); and year by year the same hideous acts of barbarous war were repeated—not always upon the far-away border, but sometimes at the very heart of the teeming colony,—once (1697) at Haverhill, not thirty-five miles out of Boston itself. Such a war was not likely to be forgot in the northern colonies, at any rate, and in New York. Its memories were bitten into the hearts of the colonists there as with the searings of a hot iron; and they knew that the French must be overcome before there could be any lasting peace, or room enough made for English growth in the forests.

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They would rather have turned their thoughts to other things. There were home matters of deep moment which they were uneasy to settle. But these larger matters, of England's place and power in the world, dominated them whether they would or no. King William's War was but the forerunner of many more, of the same meaning and portent. Wars vexed and disciplined them for half a century, and their separate interests had often to stand neglected for years together in order that their common interests and the interests of English empire in America might be guarded.

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And yet those who were thoughtful did not lose sight of the great, though subtle, gain which came with the vexing losses of war, to offset them. They had not failed to notice and to take to heart what had happened in England when William and Mary were brought to the throne. They were none the less Englishmen for being out of England, and what Parliament did for English liberty deeply concerned them. Parliament, as all the world knew, had done a great deal during those critical days in which it had consummated the "glorious revolution" by which the Stuarts were once for all put from the seat of sovereignty. It had reasserted the ancient rights named in Magna Charta; it had done away with the King's arrogated right to tax; it had destroyed his alleged right to set laws aside, or alter them in any way; it had reduced him from being master and had made him a constitutional king, subject to his people's will, spoken through their legal representatives in Parliament. The new King, too, had shown himself willing to extend these principles to America. In the charters which he granted or renewed, and in the instructions which he gave to the governors whom he commissioned, he did not begrudge an explicit acknowledgment of the right of the colonies to control their own taxation and the expenditures of their own colonial establishments.

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War embarrassed trade. It made hostile territory of the French West Indies, whence New England skippers fetched molasses for the makers of rum at home; and that was no small matter, for the shrewd New England traders were already beginning to learn how much rum would pay for, whether among the Indians of the forest country, among the savages of the African slave coast, or among their own neighbors at home, where all deemed strong drink a capital solace and defence against the asperities of a hard life. But it needed only a little circumspection, it turned out, to keep even that trade, notwithstanding the thing was a trifle difficult and hazardous. There was little cause for men who kept their wits about them to fear the law on the long, unfrequented coasts of the New World; and there was trade with the French without scruple whether war held or ceased. Buccaneers and pirates abounded in the southern seas, and legitimate traders knew as well as they did how confiscation and capture were to be avoided.

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The main lines of trade ran, after all, straight to the mother country, and were protected when there was need by English fleets. Both the laws of Parliament and their own interest bound the trade of the colonies to England. The Navigation Act of 1660, in force now these forty years, forbade all trade with the colonies except in English bottoms; forbade also the shipment of their tobacco and wool anywhither but to England itself; and an act of 1663 forbade the importation of anything at all except out of England, which, it was then once for all determined, must be the entrepot and place of staple for all foreign trade. It was determined that, if there were to be middlemen's profits, the middlemen should be English, and that the carrying trade of England and her colonies should be English, not Dutch. It was the Dutch against whom the acts were aimed. Dutch ships cost less in the building than ships built in England; the Dutch merchantmen could afford to charge lower rates of freight than English skippers; and the statesmen of King Charles, deeming Holland their chief competitor upon the seas and in the markets of the world, meant to cut the rivalry short by statute, so far as the English realm was concerned.

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Fortunately the interests of the colonists themselves wore easily enough the harness of the acts. For a while it went very hard in Virginia, it is true, to pay English freight rates on every shipment of tobacco, the colony's chief staple, and to sell only through English middlemen, to the exclusion of the accommodating Dutch and all competition. Trade touched nothing greater than the tobacco crop. Virginia supplied in that alone a full half of all the exports of the colonies. Her planters sharply resented "that severe act of Parliament which excludes us from having any commerce with any nation in Europe but our own"; for it seemed to put upon them a special burden. "We cannot add to our plantation any commodity that grows out of it, as olive trees, cotton, or vines," complained Sir William Berkeley very bluntly to the government in 1671. "Besides this, we cannot procure any skilful men for one now hopeful commodity, silk; for it is not lawful for us to carry a pipe stave or a barrel of corn to any place in Europe out of the King's dominions. If this were for his Majesty's service or the good of his subjects, we should not repine, whatever our sufferings are for it; but on my soul, it is the contrary for both." But the thing was eased for them at last when they began to see how their interest really lay. They had almost a monopoly of the English market, for Spanish tobacco was kept out by high duties, the planting of tobacco in England, begun on no mean scale in the west midland counties in the days of the Protectorate, was prohibited by law, and a rebate of duties on all tobacco re-exported to the continent quickened the trade with the northern countries of Europe, the chief market in any case for the Virginian leaf. Grumbling and evasion disappeared in good time, and Virginia accommodated herself with reasonable grace to what was, after all, no ruinous or unprofitable arrangement.

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New England, where traders most abounded, found little in the acts that she need complain of or seek to escape from. No New England commodity had its route and market prescribed as Virginian tobacco had; New England ships were "English" bottoms no less than ships built in England itself; they could be built as cheaply as the Dutch, and the long coast of the continent was clear for their skippers. If laws grew inconvenient, there were unwatched harbors enough in which to lade and unlade without clearance papers. English capital quickened trade as well as supplied shipping for the ocean carriage. And the King's navy made coast and sea safe. If it was irritating to be tied to the leading-strings of statutes, it was at least an agreeable thing that they should usually pull in the direction merchants would in any case have taken. Though all products of foreign countries had to be brought through the English markets and the hands of English middlemen, the duties charged upon them upon their entrance into England were remitted upon their reshipment to America, and they were often to be had more cheaply in the colonies than in London.

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In 1699, when the war was over, Parliament laid a new restriction upon the colonies, forbidding them to manufacture their own wool for export, even for export from colony to colony. Good housewives were not to be prevented from weaving their own wool into cloth for the use of their own households; village weavers were not to be forbidden their neighborhood trade; but the woollen weavers of England supplied more than half of all the exports to the colonies, and had no mind to let woollen manufacture spring up in America if Parliament could be induced to prohibit it. It made no great practical difference to the colonies, though it bred a bitter thought here and there. Manufactures were not likely to spring up in America. "No man who can have a piece of land of his own, sufficient by his labor to subsist his family in plenty," said Mr. Franklin long afterwards, "is poor enough to be a manufacturer and work for a master. Hence, while there is land enough in America for our people, there can be no manufactures to any amount or value." But the woollen manufacturers in England meant to take no chances in the matter; and the colonists did no more than grumble upon occasion at the restraints of a law which they had no serious thought of breaking.

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It was not breaches of the Acts of Navigation and the acts concerning woollen manufacture that the ministers found it necessary to turn their heed to when the war ended, but, rather, the open piracies of the southern seas. By the treaty of Ryswick, which brought peace (1697), France, England, Holland, and Spain, the high contracting parties, solemnly bound themselves to make common cause against buccaneering. Spain and England had been mutually bound since 1670 to abolish it. Buccaneering abounded most on the coasts of America. The lawless business had begun long ago. Spain had provoked it. She had taken possession of all Central and South America and of the islands of the West Indies, and had bidden all other nations stand off and touch nothing; while her fleets every year for generations together came home heavy with treasure. She had denied them the right of trade; she had forbidden their seamen so much as to get stores for their own use anywhere within the waters of Spanish America. She treated every ship as an intruder which she found in the southern seas, and the penalties she inflicted for intrusion upon her guarded coasts went the length of instant drowning or hangings at the yard-arm. It was a day when there was no law at sea. Every prudent man supplied his ship with arms, and was his own escort; and since Spain was the common bully, she became the common enemy. English and French and Dutch seamen were not likely very long to suffer themselves to be refused what they needed at her ports; and after getting what they needed, they went on to take whatever they wanted. They were intruders, anyway, for whatever purpose they came, and they might as well, as a witty Frenchman among them said, "repay themselves beforehand" for the losses they would suffer should Spanish cruisers find and take them.

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The spirit of adventure and of gain grew on them mightily. At first they contented themselves with an illicit trade at the unguarded ports of quiet, half-deserted islands like Hispaniola, where they could get hides and tallow, smoked beef and salted pork, in exchange for goods smuggled in from Europe. But they did not long stop at that. The exciting risks and notable profits of the business made it grow like a story of adventure. The ranks of the lawless traders filled more and more with every sort of reckless adventurer and every sort of unquiet spirit who found the ordinary world stale and longed for a change of luck, as well as with hosts of common thieves and natural outlaws. Such men, finding themselves inevitably consorting, felt their comradeship, helped one another when they could, and made a common cause of robbing Spain, calling themselves "Brethren of the Coast." They took possession, as their numbers increased, of the little twin islands of St. Christopher and Nevis for rendezvous and headquarters, and fortified distant Tortuga for a stronghold; and their power grew apace through all the seventeenth century, until no Spanish ship was safe on the seas though she carried the flag of an admiral, and great towns had either to buy them off or submit to be sacked at their pleasure. They mustered formidable fleets and counted their desperate seamen by the thousands.

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They were most numerous, most powerful, most to be feared at the very time the English colony was begun at Charleston (1670). All the English sea coast at the south, indeed, was theirs in a sense. They were regulars, not outlaws, when France or Holland or England was at war with Spain, for the great governments did not scruple to give them letters of marque when they needed their assistance at sea. English buccaneers had helped Sir William Penn take Jamaica for Cromwell in 1655. And when there was no war, the silent, unwatched harbors of the long American sea coast were their favorite places of refuge and repair. New Providence, England's best anchorage and most convenient port of rendezvous in the Bahamas, became their chief place of welcome and recruiting. The coming of settlers did not disconcert them. It pleased them, rather. The settlers did not molest them,—had secret reasons, as they knew, to be glad to see them. There were the English navigation laws, as well as the Spanish, to be evaded, and the goods they brought to the closed markets were very cheap and very welcome,—and no questions were asked. They were abundantly welcome, too, to the goods they bought. For thirty years their broad pieces of gold and their Spanish silver were almost the only currency the Carolinas could get hold of. Governors winked at their coming and going,—even allowed them to sell their Spanish prizes in English ports. Charleston, too, and the open bays of Albemarle Sound were not more open to them than New York and Philadelphia and Providence, and even now and again the ports of Massachusetts. They got no small part of their recruits from among the lawless and shiftless men who came out of England or Virginia to the Carolinas for a new venture in a new country where law was young.

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Richard Coote, the Earl of Bellomont, came out in 1698 to be Governor General of New York, New Jersey, Massachusetts, and New Hampshire, specially instructed to stamp out the piracy of the coasts; but he found it no light task. His predecessor in the government of New York, Benjamin Fletcher, had loved the Brethren of the Coast very dearly: they had made it to his interest to like them; and the merchants of New York, as of the other seaport towns, were noticeably slow to see the iniquity of the proscribed business. Lord Bellomont bitterly complained that the authorities of Rhode Island openly gave notorious pirates countenance and assistance. Mr. Edward Randolph, whose business it was to look after the King's revenues, declared in his anger that North Carolina was peopled by nobody but smugglers, runaway servants, and pirates. South Carolina, fortunately, had seen the folly of harboring the outlaws by the time Lord Bellomont set about his suppression in the north. Not only had her population by that time been recruited and steadied by the coming in of increasing numbers of law-abiding and thrifty colonists to whom piracy was abhorrent, but she had begun also to produce great crops of rice for whose exportation she could hardly get ships enough, and had found that her whilom friends the freebooters did not scruple to intercept her cargoes on their way to the profitable markets of Holland, Germany, Sweden, Denmark, and Portugal. She presently began, therefore, to use a great pair of gallows, set up very conspicuously on "Execution Dock" at Charleston, for the diligent hanging of pirates. But the coast to the northward still showed them hospitality, and Lord Bellomont made little headway at New York,—except that he brought the notorious Captain Kidd to justice. William Kidd, a Scotsman, had made New York his home, and had won there the reputation of an honest and capable man and an excellent ship captain; but when he was given an armed vessel strongly manned, and the King's commission to destroy the pirates of the coast, the temptation of power was too great for him. He incontinently turned pirate himself, and it fell to Lord Bellomont to send him to England to be hanged.

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The interval of peace during which English governors in America could give their thoughts to the suppression of piracy proved all too short. "Queen Anne's War" followed close upon the heels of King William's, and the French and Indians became once again more threatening than the buccaneers. Nevertheless some important affairs of peace were settled before the storm of war broke again. For one thing, Mr. Penn was able once more to put in order the government of Pennsylvania. For two years (1692-1694) he had been deprived of his province, because, as every one knew, he had been on very cordial terms of friendship with James Stuart, the discredited King, and it was charged that he had taken part in intrigues against the new sovereign. But it was easy for him to prove, when the matter was dispassionately looked into, that he had done nothing dishonorable or disloyal, and his province was restored to him. In 1699 he found time to return to America and reform in person the administration of the colony. Bitter jealousies and sharp factional differences had sprung up there while affairs were in confusion after the coming in of William and Mary, and the two years Mr. Penn spent in their correction (1699-1701) were none too long for the work he had to do. He did it, however, in his characteristic healing fashion, by granting privileges, more liberal and democratic than ever, in a new charter. One chief difficulty lay in the fact that the lower counties by the Delaware chafed because of their enforced union with the newer counties of Pennsylvania; and Mr. Penn consented to an arrangement by which they should within three years, if they still wished it, have a separate assembly of their own, and the right to act for themselves in all matters of local government. Self-government, indeed, was almost always his provident cure for discontent. He left both Pennsylvania and the Delaware counties free to choose their own courts,—and Philadelphia free to select her own officers as an independently incorporated city. Had he been able to give his colony governors as wise and temperate as himself, new troubles might have been avoided as successfully as old troubles had been healed.

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While Mr. Penn lingered in America the rights of the proprietors of West Jersey, his own first province, passed finally to the crown. In 1702 all proprietary rights, alike in East and in West Jersey, were formally surrendered to the crown, and New Jersey, once more a single, undivided province, became directly subject to the King's government. For a generation, indeed, as it turned out, she was to have no separate governor of her own. A separate commission issued from the crown to the governor of New York to be also governor of New Jersey, upon each appointment in the greater province. But New Jersey kept her own government, nevertheless, and her own way of life. She suffered no merger into the larger province, her neighbor, whose governor happened to preside over her affairs.

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Many things changed and many things gave promise of change in the colonies as Mr. Penn looked on. In 1700 Virginia had her population enriched by the coming of seven hundred French Huguenots, under the leadership of the Marquis de La Muce,—some of them Waldenses who had moved, in exile, through Switzerland, Alsace, the Low Countries, and England ere they found their final home of settlement in Virginia,—all of them refugees because of the terror that had been in France for all Protestants since the revocation of the Edict of Nantes (1685). That same year, 1700, Williamsburg, the new village capital of the "Old Dominion," grew very gay with company come in from all the river counties, from neighboring colonies, too, and even from far-off New England, to see the first class graduated from the infant college of William and Mary. The next year (1701) Connecticut, teeming more and more with a thrifty people with its own independent interests and resources, and finding Harvard College at Cambridge too far away for the convenience of those of her own youth who wished such training as ministers and professional men in general needed, set up a college of her own, the college which half a generation later she called Yale, because of Mr. Elihu Yale's gift of eight hundred pounds in books and money.

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Then King William died (1702,—Mary, his queen and consort, being dead these eight years), and Anne became queen. It was a year of climax in the public affairs of Europe. In 1701, Louis XIV. had put his grandson, Philip of Anjou, on the throne of Spain, in direct violation of his treaty obligations to England, and to the manifest upsetting of the balance of power in Europe, openly rejoicing that there were no longer any Pyrenees, but only a single, undivided Bourbon power from Flanders to the Straits of Gibraltar; and had defied England, despite his promises made at Ryswick, by declaring James's son the rightful heir to the English throne. Instantly England, Holland, and Austria drew together in grand alliance against the French aggression, and for eleven years Italy, Germany, and the Netherlands rang with the War of the Spanish Succession. The storm had already broken when Anne became queen.

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England signalized the war by giving a great general to the world. It was the day of John Churchill, Duke of Marlborough, of whose genius soldiers gossiped to their neighbors and their children for half a century after the great struggle was over. The English took Gibraltar (1704). Prince Eugene of Savoy helped great Marlborough to the famous victory of Blenheim (1705),—and Virginians were not likely to forget that it was Colonel Parke, of Virginia, who took the news of that field to the Queen. Marlborough won at Ramillies and Eugene at Turin (1706). The two great captains triumphed together at Oudenarde (1708) and at Malplaquet (1709). The crowns of France and Spain were separated, and France was lightened of her overwhelming weight in the balance of power.

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But for the colonies in America it was only "Queen Anne's War," full of anxiety, suffering, and disappointment,—massacres on the border, expeditions to the north blundered and mismanaged, money and lives spent with little to show for the sacrifice. The ministers at home had made no preparation in America for the renewal of hostilities. There had been warnings enough, and appeals of deep urgency, sent out of the colonies. Every observant man of affairs there saw what must come. But warnings and appeals had not been heeded. Lord Bellomont, that self-respecting gentleman and watchful governor, had told the ministers at home very plainly that there ought to be a line of frontier posts at the north, with soldiers for colonists, and that simply to pursue the Indians once and again to the depths of the forests was as useless "as to pursue birds that are on the wing." An English prisoner in the hands of the French had sent word what he heard they meant to do for the extension of their boundaries and their power. The deputy governor of Pennsylvania had proposed a colonial militia to be kept at the frontier. Certain private gentlemen of the northern settlements had begged for a common governor "of worth and honor," and for some system of common defence. Mr. Penn, looking on near at hand, had advised that the colonists be drawn together in intercourse and interest by a common coinage, a common rule of citizenship, a common system of justice, and by duties on foreign timber which would in some degree offset the burdens of the Navigation Acts,—as well as by common organization and action against the French and against the pirates of the coast. But nothing had been done.

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Even the little that had been gained in King William's War had now to be gained all over again. Sir William Phips had taken Port Royal very handily at the outset of that war (1690), and Acadia with it, and there had been no difficulty in holding the conquered province until the war ended; but the treaty of Ryswick had handed back to the French everything the English had taken, the statesmen of England hardly heeding America at all in the terms they agreed to,—and so a beginning was once more to be made.

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The war began, as every one knew it must, with forays on the border: the Indians were the first afoot, and were more to be feared than the French. The first movement of the English was made at the south, where, before the first year (1702) of the war was out, the Carolinians struck at the power of Spain in Florida. They sent a little force against St. Augustine, and easily swept the town itself, but stood daunted before the walls of the castle, lacking cannon to reduce it, and came hastily away at sight of two Spanish ships standing into the harbor, leaving their very stores and ammunition behind them in their panic. They had saddled the colony with a debt of six thousand pounds and gained nothing. But they at least kept their own borders safe against the Indians and their own little capital at Charleston safe against reprisals by the Spaniards. The Apalachees, who served the Spaniards on the border, they swept from their forest country in 1703, and made their border quiet by fire and sword, driving hundreds of the tribesmen they did not kill to new seats beyond the Savannah. Three years went by before they were in their turn attacked by a force out of Florida. Upon a day in August, 1706, while the little capital lay stricken with yellow fever, a fleet of five French vessels appeared off the bar at their harbor mouth, bringing Spanish troops from Havana and St. Augustine. There was a quick rally to meet them. Colonial militia went to face their landing parties; gallant Colonel Rhett manned a little flotilla to check them on the water; and they were driven off, leaving two hundred and thirty prisoners and a captured ship behind them. The southern coast could take care of itself.

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Nothing had been done meanwhile in the north. The first year of the war (1702) had seen Boston robbed of three hundred of her inhabitants by the scourge of small-pox, and New York stricken with a fatal fever brought out of the West Indies from which no man could rally. That dismal year lingered for many a day in the memory of the men of the middle colonies as "the time of the great sickness." The northernmost border had been harried from Wells to Casco by the French Indians (1703); Deerfield, far away in the wilderness by the Connecticut, had been fearfully dealt with at dead of night, in the mid-winter of 1704, by a combined force of French and Indians; in 1705 the French in Acadia had brought temporary ruin upon the English trading posts in Newfoundland; and a French privateer had insolently come in open day info the Bay at New York, as if to show the English there how defenceless their great harbor was, with all the coast about it (1705). And yet there had been no counterstroke by the English,—except that Colonel Church, of Massachusetts, had spent the summer of 1704 in destroying as he could the smaller and less defended French and Indian villages upon the coasts which lay about the Penobscot and the Bay of Fundy. In 1707 a serious attempt was made to take Port Royal. Colonel March took a thousand men against the place, in twenty-three transports, convoyed by a man-of-war, and regularly laid siege to it; but lacked knowledge of the business he had undertaken and failed utterly.

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Another three years went by before anything was accomplished; and the French filled them in, as before, with raids and massacres. Again Haverhill was surprised, sacked, and burned (1708). The English were driven from the Bahama islands. An expedition elaborately prepared in England to be sent against the French in America was countermanded (1709), because a sudden need arose to use it at home. Everything attempted seemed to miscarry as of course. And then at last fortune turned a trifle kind. Colonel Francis Nicholson, governor of Virginia till 1705, had gone to England when he saw things stand hopelessly still in America, and, being a man steadfast and hard to put by, was at last able, in 1710, to obtain and bring assistance in person from over sea. He had recommended, while yet he was governor of Virginia, it was recalled, that the colonies be united under a single viceroy and defended by a standing army for which they should themselves be made to pay. The ministers at home had been too prudent to take that advice; but they listened now to his appeal for a force to be sent to America. By the 24th of September, 1710, he lay off Port Royal with a fleet of thirty-five sail, besides hospital and store ships, with four regiments of New England militia aboard his transports and a detachment of marines. On the 1st of October he opened the fire of three batteries within a hundred yards of the little fort that guarded the place, and within twenty-four hours he had brought it to its capitulation, as Sir William Phips had done twenty years before. Acadia was once more a conquered province of England. Colonel Nicholson renamed its port Annapolis Royal, in honor of the Queen whom he served. The name of the province itself the English changed to Nova Scotia.

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Two years more, and the war was practically over; but no victories had been added to that lonely achievement at Port Royal. Colonel Nicolson went from his triumph in Acadia back to England again, to solicit a yet stronger force to be taken against Quebec, and once more got what he wanted. In midsummer of 1711 Sir Hovenden Walker arrived at Boston with a great fleet of transports and men-of-war, bringing Colonel Hill and seven of Marlborough's veteran regiments to join the troops of New England in a decisive onset upon the stronghold of New France. Colonel Nicholson was to lead the colonial levies through the forests to Quebec; Sir Hovenden Walker was to ascend the St. Lawrence and strike from the river. But neither force reached Quebec. The admiral blundered in the fogs which beset him at the mouth of the great stream, lost eight ships and almost a thousand men, and then put about in dismay and steered straightway for England, to have his flag-ship blow up under him at Spit-head. Colonel Nicholson heard very promptly of the admiral's ignoble failure, and did not make his march. The next year, 1712, the merchants of Quebec subscribed a fund to complete the fortifications of their rock-built city, and even women volunteered to work upon them, that they might be finished ere the English came again. But the English did not come. That very summer brought a truce; and in March, 1713, the war ended with the peace of Utrecht. The treaty gave England Hudson's Bay, Acadia, Newfoundland, and the little island of St. Christopher alongside Nevis in the Lesser Antilles.

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"Queen Anne's War" was over; but there was not yet settled peace in the south. While the war lasted North Carolina had had to master, in blood and terror, the fierce Iroquois tribe of the Tuscaroras, who mustered twelve hundred warriors in the forests which lay nearest the settlements. And when the war was over South Carolina had to conquer a whole confederacy of tribes whom the Spaniards had stirred up to attack her. The Tuscaroras had seemed friends through all the first years of the English settlement on their coast; but the steady, ominous advance of the English, encroaching mile by mile upon their hunting grounds, had at last maddened them to commit a sudden and awful treachery. In September, 1711, they fell with all their natural fury upon the nearer settlements, and for three days swept them with an almost continuous carnage. The next year the awful butchery was repeated. Both times the settlements found themselves too weak to make effective resistance; both times aid was sent from South Carolina, by forced marches through the long forests; and finally, in March, 1713, the month of the peace of Utrecht, an end was made. The Tuscaroras were attacked and overcome in their last stronghold. The remnant that was left migrated northward to join their Iroquois kinsmen in New York,—and Carolina was quit of them forever.

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The strong tribes which held sway in the forests of South Carolina,—the Yamassees, Creeks, Catawbas, and Cherokees,—were no kinsmen of these alien Iroquois out of the north, and had willingly lent their aid to the English to destroy them. But, the war over, the Spaniards busied themselves to win these tribes also to a conspiracy against the English settlements, and succeeded only too well. They joined in a great confederacy, and put their seven or eight thousand braves on the war-path to destroy the English. For almost a whole year (April, 1715, to February, 1716) they kept to their savage work unsubdued, until full four hundred whites had lost their lives at their hands. Then the final reckoning came for them also, and the shattered remnants of their tribes sought new homes for themselves as they could. The savages had all but accomplished their design against the settlements. The awful work of destroying them left the Carolinas upon the verge of utter exhaustion, drained of blood and money, almost without crops of food to subsist upon, quite without means to bear the heavy changes of government in a time of war and sore disorder. There were some among the disheartened settlers who thought of abandoning their homes there altogether and seeking a place where peace might be had at a less terrible cost. But there was peace at least, and the danger of absolute destruction had passed.

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New York had had her own fright while the war lasted. A house blazed in the night (1712), and certain negroes who had gathered about it killed some of those who came to extinguish the flames. It was rumored that there had been a plot among the negroes to put the whole of the town to the torch; an investigation was made, amidst a general panic which rendered calm inquiry into such a matter impossible; and nineteen blacks were executed.

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But in most of the colonies domestic affairs had gone quietly enough, the slow war disturbing them very little. Connecticut found leisure of thought enough, in 1708, to collect a synod at Saybrook and formulate a carefully considered constitution for her churches, which her legislature the same year adopted. In 1707 New York witnessed a notable trial which established the freedom of dissenting pulpits. Lord Cornbury, the profligate governor of the province, tried to silence the Rev. Francis Mackemie, a Presbyterian minister,—pretending that the English laws of worship and doctrine were in force in New York; but a jury made short work of acquitting him. Massachusetts endured Joseph Dudley as governor throughout the war (1702-1715), checking him very pertinaciously at times when he needed the assistance of her General Court, but no longer refusing to live with reasonable patience under governors not of her own choosing.

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Fortunately for the Carolinas, a very notable man had become governor of Virginia ere the Tuscaroras took the war-path. There were tribes at the border,—Nottoways, Meherrins, and even a detached group of the Tuscaroras themselves,—who would have joined in the savage conspiracy against the whites had not Colonel Spotswood been governor in Virginia and shown himself capable of holding them quiet with a steady hand of authority—a word of conciliation and a hint of force. Alexander Spotswood was no ordinary man. He added to a gentle breeding a manly bearing such as Virginians loved, and the administrative gifts which so many likable governors had lacked. His government was conducted with clear-eyed enterprise and steady capacity. It added to his consequence that he had borne the Queen's commission in the forces of the great Marlborough on the field of Blenheim, and came to his duty in Virginia (1710) bearing a wound received on that famous field. His blood he took from Scotland, where the distinguished annals of his family might be read in many a public record; and a Scottish energy entered with him into the government of Virginia,—as Bell as a Scottish candor and directness in speech,—to the great irritation presently of James Blair, as aggressive a Scotsman as he, and more astute and masterful.

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It was Colonel Spotswood who, in 1716, gathered a company of gentlemen about him for a long ride of discovery into the Alleghanies. They put their horses through the very heart of the long wilderness, and won their way despite all obstacles to a far summit of the Blue Ridge, whence, first among all their countrymen, they looked forth to the westward upon the vast slopes which fell away to the Ohio and the great basin of the Mississippi. Colonel Spotswood, standing there the leader of the little group, knew that it was this way the English must come to make conquest of the continent. He urged his government at home to stretch a chain of defensive posts beyond the mountains from the lakes to the Mississippi, to keep the French from those inner valleys which awaited the coming of the white man; but he did not pause in the work he could do himself because the advice went unheeded. He kept the Indians still; he found excellent lands for a thrifty colony of Germans, and himself began the manufacture of iron in the colony, setting up the first iron furnace in America. The debts of the colony were most of them discharged, and a good trade in corn, lumber, and salt provisions sprang up with the West Indies. He rebuilt the college, recently destroyed by fire, and established a school for Indian children. He improved as he could the currency of the colony. His works most were the quiet works of most peace and development,—except for his vigorous suppression of the pirates of the coast,—and his administration might have outrun the year 1722, which saw him removed, had he been a touch less haughty, overbearing, unused to conciliating or pleasing those whose service he desired. He made enemies, and was at last ousted by them.

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Some of the best qualities of the soldier and administrator came out in him in the long struggle to put the pirates down once and for all Queen Anne's War had turned pirates into privateers and given pause to the stern business for a little, but it began again in desperate earnest when the war was over and peace concluded at Utrecht. It was officially reported by the secretary of Pennsylvania in 1717 that there were still fifteen hundred pirates on the coasts, making their headquarters at the Cape Fear and at New Providence in the Bahamas, and sweeping the sea as they dared from Brazil to Newfoundland. But the day of their reckoning was near at hand. South Carolina had cleared her own coasts for a little at the beginning of the century, but the robbers swarmed at her inlets again when the Indian massacres had weakened and distracted her, and the end of the war with France set many a roving privateersman free to return to piracy. The crisis and turning-point came in the year 1718. That year an English fleet crossed the sea, took New Providence, purged the Bahamas of piracy, and made henceforth a stronghold there for law and order. That same year Stede Bonnet, of Barbadoes, a man who had but the other day held a major's commission in her Majesty's service, honored and of easy fortune, but now turned pirate, as if for pastime, was caught at the mouth of the Cape Fear by armed ships under redoubtable Colonel Rhett, who had driven the French out of Charleston harbor thirteen years ago, and was taken and hanged on Charleston dock, all his crew having gone before him to the ceremony. "This humour of going a-pyrating," it was said, "proceeded from a disorder in his mind, which had been but too visible in him some time before this wicked undertaking; and which is said to have been occasioned by some discomforts he found in a married state"; but the law saw nothing of that in what he had done. While Bonnet awaited his condemnation, Edward Thatch, the famous "Blackbeard," whom all the coast dreaded, went a like just way to death, trapped within Ocracoke Inlet by two stout craft sent against him out of Virginia by Colonel Spotswood. And so, step by step, the purging went on. South Carolina had as capable a governor as Virginia in Robert Johnson; and the work done by these and like men upon the coasts, and by the English ships in the West Indies, presently wiped piracy out. By 1730 there was no longer anything for ships to fear on those coasts save the Navigation Acts and stress of sea weather.

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It was a long coast, and it took a long time to carry law and order into every bay and inlet. But every year brought increase of strength to the colonies, and with increase of strength power to rule their coasts as they chose. Queen Anne's War over, quiet peace descended upon the colonies for almost an entire generation (1712-1740). Except for a flurry of Indian warfare now and again upon the borders, or here and there some petty plot or sudden brawl, quiet reigned, and peaceful progress. Anne, the queen, died the year after peace was signed (1714); and the next year Louis XIV. followed her, the great king who had so profoundly stirred the politics of Europe. An old generation had passed away, and new men and new measures seemed now to change the whole face of affairs. The first George took the throne, a German, not an English prince, his heart in Hannover; and presently the affairs of England fell into the hands of Sir Robert Walpole. Sir Robert kept his power for twenty-one years (1721-1742), and conducted the government with the shrewd, hard-headed sense and administrative capacity of a steady country squire,—as if governing were a sort of business, demanding, like other businesses, peace and an assured and equable order in affairs. It was a time of growth and recuperation, with much to do, but little to record.

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The colonies, while it lasted, underwent in many things a slow transformation. Their population grew in numbers not only, but also in variety. By the end of the war there were probably close upon half a million people within their borders, counting slave with free; and with the return of peace there came a quickened increase. New England slowly lost its old ways of separate action as a self-constituted confederacy; and Massachusetts, with her new system of royal governors and a franchise broadened beyond the lines of her churches, by degrees lost her leadership. She was losing her old temper of Puritan thought. It was impossible to keep her population any longer of the single strain of which it had been made up at the first. New elements were steadily added; and new elements brought new ways of life and new beliefs. She was less and less governed by her pulpits; turned more and more to trade for sustenance; welcomed new-comers with less and less scrutiny of their ways of thinking; grew less suspicious of change, and more like her neighbors in her zest for progress.

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Scots-Irish began to make their appearance in the colony, some of them going to New Hampshire, some remaining in Boston; and they were given a right willing welcome. The war had brought sore burdens of expense and debt upon the people, and these Scots-Irish knew the profitable craft of linen-making which the Boston people were glad to learn, and use to clothe themselves; for poverty, they declared, "is coming upon us as an armed man." These new immigrants brought with them also the potato, not before used in New England, and very acceptable as an addition to the colony's bill of fare. Small vessels now began to venture out from Cape Cod and Nantucket, moreover, in pursuit of the whales that came to the northern coasts, and it was not long before that daring occupation began to give promise of wealth and of the building up of a great industry. Population began slowly to spread from the coasts into the forests which lay at the west between the Connecticut and the Hudson. In 1730 a Presbyterian church was opened in Boston,—almost as unmistakable a sign of change as King's Chapel itself had been with its service after the order of the Church of England.

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The middle colonies and the far south saw greater changes than these. South Carolina seemed likely to become as various in her make-up as were New York and Pennsylvania with their mixture of races and creeds. Scots-Irish early settled within her borders also; she had already her full share of Huguenot blood; and there followed, as the new century advanced through the lengthened years of peace, companies of Swiss immigrants, and Germans from the Palatinate. Charleston, however, seemed English enough, and showed a color of aristocracy in her life which no one could fail to note who visited her. Back from the point where the rivers met, where the fortifications stood, and the docks to which the ships came, there ran a fine road northward which Governor Archdale, that good Quaker, had twenty years ago declared more beautiful' and pleasant than any prince in Europe could find to take the air upon when he drove abroad. From it on either side stretched noble avenues of live oaks, their strong lines softened by the long drapery of the gray moss,—avenues which led to the broad verandas of country residences standing in cool and shadowy groves of other stately trees. In summer the odor of jasmine filled the air; and even in winter the winds were soft. It was here that the ruling men of the colony lived, the masters of the nearer plantations,-men bred and cultured after the manner of the Old World. The simpler people, who made the colony various with their differing bloods, lived inland, in the remoter parishes, or near other harbors above or below Charleston's port. It was on the nearer plantations round about Charleston that negro slaves most abounded; and there were more negroes by several thousand in the colony than white folk. Out of the 16,750 inhabitants of the colony in 1715, 10,500 were slaves. But the whites were numerous enough to give their governors a taste of their quality.

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There were well-developed political parties in South Carolina, for all she was so small; and astute and able men to lead them, like Colonel Rhett, now soldier, now sailor, now statesman, and Mr. Nicholas Trott, now on one side and again on the other in the matter of self government as against the authority of the proprietors or the crown, but always in a position to make his influence felt. The province practically passed from the proprietors to the crown in 1719, because the people's party determined to be rid of their authority, and ousted their governor, exasperated that in their time of need, their homes burned about their ears by the savages, their coasts ravaged by freebooters, they should have been helped not a whit, but left to shift desperately for themselves. In 1729 the proprietors formally surrendered their rights. Colonel Francis Nicholson acted as provisional governor while the change was being effected (1719-1725), having been meantime governor of Acadia, which he had taken for the crown. In 1720 he was knighted; and he seems to have acted as soberly in this post in Carolina as he had acted in Virginia. He was truculent and whimsical in the north; but in the south his temper seemed eased and his judgment steadied. The change of government in South Carolina was really an earnest of the fact that the people's representatives had won a just and reasonable ascendency in the affairs of the colony; and Sir Francis did not seriously cross them, but served them rather, in the execution of their purposes.

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Every colony had its own movements of party. Everywhere the crown desired the colonial assemblies to provide a permanent establishment for the governor, the judges, and the other officers who held the King's commission,—fixed salaries, and a recognized authority to carry out instructions; but everywhere the people's representatives persistently refused to grant either salaries or any additional authority which they could not control in the interest of their own rights from session to session. They would vote salaries for only a short period, generally a year at a time; and they steadily denied the right of the crown to extend or vary the jurisdiction of the courts without their assent. Sometimes a governor like Mr. Clarke, of New York, long a resident in his colony and acquainted with its temper and its ways of thought, got what he wanted by making generous concessions in matters under his own control; and the judges, whatever their acknowledged jurisdiction, were likely to yield to the royal wishes with some servility: for they were appointed at the King's pleasure, and not for the term of their good behavior, as in England. But power turned, after all, upon what the people's legislature did or consented to do, and the colonists commonly spoke their minds with fearless freedom.

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In New York the right to speak their minds had been tested and established in a case which every colony promptly learned of. In 1734 and 1735 one John Peter Ziegler, a printer, was brought to trial for the printing of various libellous attacks on the governor and the administration of the colony,—attacks which were declared to be highly "derogatory to the character of his Majesty's government," and to have a tendency "to raise seditions and tumults in the province"; but he was acquitted. The libel was admitted, but the Jury deemed it the right of every one to say whatever he thought to be true of the colony's government; and men everywhere noted the verdict.

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A second negro plot startled New York in 1741, showing itself, as before, in sudden incendiary fires. It was thought that the slaves had been incited to destroy the town; and there was an uneasy suspicion that these disturbing occurrences were in some way connected with the slave insurrections in the south. Uprising of the slaves had recently occurred in the West Indies. South Carolina had suffered such an outbreak a little more than two years before. In 1738 armed insurgent negroes had begun there, in a quiet parish, the execution of a terrible plot of murder and burning which it had taken very prompt and summary action to check and defeat. Such risings here specially ominous where the slaves so outnumbered the whites; and it was known in South Carolina whence the uneasiness of the negroes came. At the south of the province lay the Spanish colonies in Florida. Negroes who could manage to run away from their masters and cross the southern border were made very welcome there; they were set free, and encouraged in every hostile purpose that promised to rob the English settlements of their ease and peace. Bands of Yamassees wandered there, too, eager to avenge themselves as they could for the woful defeat and expulsion they had suffered at the hands of the Carolinians, and ready to make common cause with the, negroes. When bands of negroes, hundreds strong, began their sudden work of burning, plunder, and murder where the quiet Stono runs to the sea no one doubted whence the impulse came. And though a single rising was easily enough put down, who could be certain that that was the end of the ominous business? No wonder governors at Charleston interested themselves to increase the number of white settlers and make their power of self-defence sure.

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Such things, however, serious as they were, did not check the steady growth of the colonies. It was not yet questions of self-government or of the preservation of their peace that dominated their affairs; and only those who observed how far-away frontiers were being advanced and two great nations being brought together for a reckoning face to face saw what was the next, the very near, crisis in store for the English in America. Through all that time of peace a notable drama was in fact preparing. Slowly, but very surely, English and French were drawing nearer and nearer within the continent,—not only in the north, but throughout all the length of the great Mississippi. Step by step the French had descended the river from their posts on the lakes; and while peace reigned they had established posts at its mouth and begun to make their way northward from the Gulf. So long ago as 1699 they had built a stockade at Biloxi; in 1700 they had taken possession of Mobile Bay; by 1716 they had established posts at Toulouse (Alabama) and at Natchez. In 1718 they began to build at New Orleans. In 1719 they captured and destroyed the Spanish post at Pensacola. By 1722 there were five thousand Frenchmen by the lower stretches of the great river; and their trading boats were learning all the shallows and currents of the mighty waterway from end to end. Meantime, in the north, they advanced their power to Lake Champlain, and began the construction of a fort at Crown Point (1721). That same year, 1721, French and English built ominously near each other on Lake Ontario, the English at Oswego, the French at Niagara among the Senecas. In 1716, the very year Governor Spotswood rode through the western forests of Virginia to a summit of the Blue Ridge, the French had found a short way to the Ohio by following the Miami and the Wabash down their widening streams. It was while they thus edged their way towards the eastern mountains and drew their routes closer and closer to their rivals on the coast that that adventurous, indomitable people, the Scots-Irish, came pouring of a sudden into the English colonies, and very promptly made it their business to pass the mountains and take possession of the lands which lay beyond them, as if they would deliberately go to meet the French by the Ohio.

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For several years after the first quarter of the new century had run out immigrants from the north of Ireland came crowding in, twelve thousand strong by the year. In 1729 quite five thousand of them entered Pennsylvania alone: and they pressed without hesitation and as if by preference to the interior. From Pennsylvania they passed along the broad, inviting valleys southward into the western parts of Virginia. By 1730 a straggling movement of settlers had begun to show itself even upon the distant lands of Kentucky. Still farther south traders from the Carolinas went constantly back and forth between the Indian tribes of the country by the Mississippi and the English settlements at the coast. Nine thousand redskin warriors lay there in the forests. Some traded with the French at the river, some with the English at the coast. They might become foes or allies, might turn to the one side or the other, as passion or interest led them.

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In 1739 the French at the north put an armed sloop on Champlain. The same year the English built a fortified post at Niagara. Everywhere the two peoples were converging, and were becoming more and more conscious of what their approach to one another meant. So long ago as 1720 orders had come from France bidding the French commanders on the St. Lawrence occupy the valley of the Ohio before the English should get a foothold there. The places where the rivals were to meet it was now easy to see, and every frontiersman saw them very plainly. The two races could not possess the continent together. They must first fight for the nearer waterways of the West, and after that for whatever lay next at hand.

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It was no small matter, with threat of such things in the air, that the English chose that day of preparation for the planting of a new colony, and planted it in the south between Carolina and the Florida settlements,—a barrier and a menace both to French and Spaniard. It was James Oglethorpe, a soldier, who planned the new undertaking; and he planned it like a soldier,—and yet like a man of heart and elevated purpose, too, for he was a philanthropist and a lover of every serviceable duty, as well as a soldier. He came of that good stock of country gentlemen which has in every generation helped so sturdily to carry forward the work of England, in the field, in Parliament, in administrative office. He had gone with a commission into the English army in the late war a mere lad of fourteen (1710); and, finding himself still unskilled in arms when England made peace at Utrecht, he had chosen to stay for six years longer, a volunteer, with the forces of Prince Eugene in the East. At twenty-two he had come back to England (1718), to take upon himself the responsibilities which had fallen to him by reason of the death of his elder brothers; and in 1722 he had entered the House of Commons, eager as ever to learn his duty and do it. He kept always a sort of knightly quality, and the bower to plan and hope and push forward that belongs to youth. He was a Tory, and believed that the Stuarts should have the throne from which they had been thrust before he was born; but that did not make him disloyal. He was an ardent reformer; but that did not make him visionary, for he was also trained in affairs. His clear-cut features, frank eye, erect and slender figure bespoke him every inch the high- bred gentleman and the decisive man of action.

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In Parliament he had been made one of a committee to inspect prisons; and he had been keenly touched by the miserable plight of the many honest men who, through mere misfortune, were there languishing in hopeless imprisonment for debt. He bethought himself of the possibility of giving such men a new chance of life and the recovery of fortune in America; and the thought grew into a plan for a new colony. He knew how the southern coast lay vacant between Charleston and the Spaniards at St. Augustine. There were good lands there, no doubt; and his soldier's eye showed him, by a mere glance at a map, how fine a point of vantage it might be made if fortified against the alien power in Florida. And so he made his plans. It should be a military colony, a colony of fortified posts; and honest men who had fallen upon poverty or misfortune at home should have a chance, if they would work, to profit by the undertaking, though he should take them from debtors' prisons. Both King and Parliament listened very willingly to what he proposed. The King signed a charter, giving the undertaking into the hands of trustees, who were in effect to be proprietors (June, 1732); and Parliament voted ten thousand pounds as its subscription to the enterprise; while men of as liberal a spirit as Oglethorpe's associated themselves with him to carry the humane plan out, giving money, counsel, and service without so much as an expectation of gain to themselves, or any material return for their outlay. Men had ceased by that time to dream that colonization would make those rich who fathered it and paid its first bills. By the end of October, 1732, the first shipload of settlers was off for America, Oglethorpe himself at their head; and by February, 1733, they were already busy building their first settlement on Yamacraw Bluff, within the broad stream of the Savannah.

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The colony had in its charter been christened Georgia, in honor of the King, who had so cordially approved of its foundation; the settlement at Yamacraw, Oglethorpe called by the name of the river itself, Savannah. His colonists were no mere company of released debtors and shiftless ne'er-do-wells. Men had long ago learned the folly of that mistake, and Oglethorpe was too much a man of the world to repeat the failures of others. Every emigrant had been subjected to a thorough examination regarding his antecedents, his honesty, his character for energy and good behavior, and had been brought because he had been deemed fit. Italians skilled in silk culture were introduced into the colony. Sober German Protestants came from Moravia and from Salzburg, by Tyrol, and were given their separate places of settlement,—as quiet, frugal, industrious, pious folk as the first pilgrims at Plymouth. Clansmen from the Scottish Highlands came, and were set at the extreme south, as an outpost to meet the Spaniard. Some of the Carolina settlers who would have liked themselves to have the Highlanders for neighbors tried to dissuade them from going to the spot selected for their settlement. They told them that the Spaniards were so near at hand that they could shoot them from the windows of the houses that stood within the fort. "Why, then, we shall beat them out of their fort, and shall have houses ready built to live in!" cried the men In kilts, very cheerily, and went on to their settlement.

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Fortunately it was seven years before the war with Spain came which every one had known from the first to be inevitable; and by that time the little colony was ready enough. Georgia's territory stretched upon the coast from the Savannah to the Altamaha, and from the coast ran back, west and northwest, to the sources of those rivers; from their sources due westward "to the South Seas." Savannah was thus planted at the very borders of South Carolina. New settlers were placed, as they came, some in Savannah, many by the upper reaches of the river. The Highlanders had their post of danger and honor upon the Altamaha; and before war came new settlers, additional arms and stores, and serviceable fortifications had been placed at St. Simon's Island at the mouth of the Altamaha. Every settlement was in some sort a fortified military post. The first settlers had been drilled in arms by sergeants of the Royal Guards in London every day between the time of their assembling and the time of their departure. Arms and ammunition were as abundant almost as agricultural tools and food stores in the cargoes carried out. Negro slavery was forbidden in the colony, because it was no small part of Oglethorpe's purpose in founding it to thrust a solid wedge of free settlers between Carolina and the country to the south, and close the border to fugitive slaves. Neither could any liquor be brought in. It was designed that the life of the settlements should be touched with something of the rigor of military discipline; and so long as Oglethorpe himself was at hand laws were respected and obeyed, rigid and unacceptable though they were; for he was a born ruler of men.

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He had not chosen very wisely, however, when he brought Charles and John Wesley out as his spiritual advisers and the pastors of his colony. They were men as inapt at yielding and as strenuous at prosecuting their own way of action as he, and promoted diversity of opinion quite as successfully as piety. They stayed but three or four uneasy years in America, and then returned to do their great work of setting up a new dissenting church in England. George Whitefield followed them (1738) in their missionary labors, and for a little while preached acceptably enough in the quiet colony; but he, too, was very soon back in England again. The very year Oglethorpe brought Charles Wesley to Georgia (1734) a great wave of religious feeling swept over New England again,—not sober, self-contained, deep-currented, like the steady fervor of the old days, but passionate, full of deep excitement, agitated, too like a frenzy. Enthusiasts who saw it rise and run its course were wont to speak of it afterwards as "the Great Awakening," but the graver sort were deeply disturbed by it. It did not spend its force till quite fifteen years had come and gone. Mr. Whitefield returned to America in 1739, to add to it the impulse of his impassioned preaching, and went once more to Georgia also. Again and again he came upon the same errand, stirring many a colony with his singular eloquence; but Georgia was busy with other things, and heeded him less than the rest.

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When the inevitable war came with Spain, in 1739,—inevitable because of trade rivalries in the West Indies and in South America, and because of political rivalry at the borders of Florida,—Oglethorpe was almost the first to strike. Admiral Vernon had been despatched in midsummer, 1739, before the declaration of war, to destroy the Spanish settlements and distress Spanish commerce in the West Indies; and had promptly taken Porto Bello in November, scarcely a month after war had been formally declared. Oglethorpe struck next, at St. Augustine. It was this he had looked forward to in founding his colony. In May, 1740, he moved to the attack with a mixed army of redskins and provincial militia numbering a little more than two thousand men,—supported at sea by a little fleet of six vessels of war under Sir Yelverton Peyton. But there had been too much delay in getting the motley force together. The Spaniards had procured reinforcements from Havana; the English ships found it impracticable to get near enough to the Spanish works to use their guns with effect; Oglethorpe had no proper siege pieces; and the attack utterly failed. It had its effect, nevertheless. For two years the Spaniards held nervously off, carefully on the defensive; and when they did in their turn attack, Oglethorpe beat them handsomely off, and more than wiped out the disrepute of his miscarriage at St. Augustine. In June, 1742, there came to St. Simon's Island a Spanish fleet of fifty-one sail, nearly five thousand troops aboard, and Oglethorpe beat them off with six hundred and fifty men,—working his little forts like a master, and his single guard-schooner and few paltry armed sloops as if they were a navy. Such a deliverance, cried Mr. Whitefield, could not be paralleled save out of Old Testament history.

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Meanwhile Vernon and Wentworth had met with overwhelming disaster at Cartagena. With a great fleet of ships of the line and a land force of nine thousand men, they had made their assault upon it in March, 1741; but because Wentworth bungled everything he did with his troops the attack miserably failed. He was caught by the deadly wet season of the tropics; disease reduced his army to a wretched handful; and thousands of lives were thrown away in his dismal disgrace. Both New England and Virginia had sent troops to take their part with that doomed army; and the colonies knew, in great bitterness, how few came home again. The war had its issues for them, they knew, as well as for the governments across the water. It meant one more reckoning with the Spaniard and the Frenchman, their rivals for the mastery of America. And in 1745 New England had a triumph of her own, more gratifying even than Oglethorpe's astonishing achievement at St. Simon's Island.

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Only for a few months had England dealt with Spain alone upon a private quarrel. In 1740 the male line of the great Austrian house of Hapsburg had run out: Maria Theresa took the throne; rival claimants disputed her right to the succession; and all Europe was presently plunged into the "War of the Austrian Succession" (1740-1748). "King George's War" they called it in the colonies, when France and England became embroiled; but the name did not make it doubtful what interests, or what ambitions, were involved; and New England struck her own blow at the power of France. A force of about four thousand men, levied in Massachusetts, New Hampshire, and Connecticut, moved in the spring of 1745 against the French port of Louisbourg on Cape Breton Island. Commodore Warren, the English naval commander in the West Indies, furnished ships for their convoy, and himself supported them in the siege; and by the 16th of June the place had been taken. For twenty-five years the French had been slowly building its fortifications, covering with them an area two and a half miles in circumference. They had made them, they supposed, impregnable. But the English had struck quickly, without warning, and with a skill and ardor which made them well-nigh irresistible; and their triumph was complete. Provincial troops had taken the most formidable fortress in America. William Pepperrell, the gallant gentleman who had led the New Englanders, got a baronetcy for his victory. Warren was made an admiral.

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The next year an attack was planned against the French at Crown Point on Champlain, but nothing came of it. The war almost stood still thenceforth, so far as the colonies were concerned, till peace was signed at Aix-la-Chapelle in October, 1748. That peace brought great chagrin to New England. By its terms Louisbourg and all conquests everywhere were restored. The whole work was to do over again, as after King William's War and the restoration of Port Royal, which Sir William Phips had been at such pains to take. The peace stood, however, little longer than that which had separated King Williams War from the War of the Spanish Succession. Seven years, and France and England had once more grappled,—this time for a final settlement. All the seven years through the coming on of war was plainly to be seen by those who knew where to look for the signs of the times. The French and English in that brief interval were not merely to approach; they were to meet in the western valleys, and the first spark of a war that was to embroil all Europe was presently to flash out in the still forests beyond the far Alleghanies.

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It was on the borders of Virginia this time that the first act of the drama was to be cast. The French determined both to shorten and to close their lines of occupation and defence from the St. Lawrence to the Mississippi and the Gulf. They knew that they could do this only by taking possession of the valley of the Ohio; and the plan was no sooner formed than it was attempted. And yet to do this was to come closer than ever to the English and to act under their very eyes. A few German families had made their way far to the westward in Pennsylvania, and hundreds of the indomitable Scots-Irish had been crowding in there for now quite twenty years, passing on, many of them, to the beautiful valley of the Shenandoah below, and pressing everywhere closer and closer to the passes which led down but a little way beyond into the valleys of the Alleghany, the Monongahela, and the Ohio. These men, at the frontiers of Pennsylvania and Virginia, were sure to observe what was going forward in front of them, and to understand what they saw. Traders crossed those mountains now by the score from the English settlements,—three hundred in a year, it was said. They knew the waters that ran to the Ohio quite as well as any Frenchman did. Their canoes had followed the turnings of the broad Ohio itself, and had found it a highway to the spreading Mississippi, where French boats floated slowly down from the country of the Illinois, carrying their cargoes of meat, grain, tobacco, tallow, hides, lead, and oil to the settlements on the Gulf. In 1748, the year of the last peace, certain leading gentlemen in Virginia had organized an Ohio Land Company,—among the rest Mr. Augustus Washington, who had served with Vernon and Wentworth at Cartagena and had lost his health in the fatal service. He had named his estate by the Potomac, his home of retirement, Mount Vernon, as his tribute of admiration to the gallant sailor he had learned to love during those fiery days in the South. In 1750 the English government had granted to the Company six hundred thousand acres of land on the coveted river. Virginian officials themselves had not scrupled meanwhile also to issue grants and titles to land beyond the mountains. The English claim to the Ohio country was unhesitating and comprehensive.

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The English had seized French traders there as unlicensed intruders, and the French in their turn had seized and expelled Englishmen who trafficked there. French and English matched their wits very shrewdly to get and keep the too fickle friendship of the Indians, and so make sure of their trade and their peace with them; and the Indians got what they could from them both. It was a sharp game for a great advantage, and the governments of the two peoples could not long refrain from taking a hand in it.

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The French authorities, it turned out, were, as usual, the first to act. In 1752 the Marquis Duquesne became governor of Canada, an energetic soldier in his prime; and it was he who took the first decisive step. In the spring of 1753 he despatched a force to Presque Isle, on the southern shore of Lake Erie, built a log fort there, and thence cut a portage for his boats southward a little way through the forest to a creek (French Creek the English called it afterwards) whose waters, when at flood, would carry his boats to the Alleghany, and by that open stream to the Ohio. It was the short and straight way from the St. Lawrence to the Mississippi and the Gulf. At the creek's head he placed another log fort (Le Boeuf), and upon the Alleghany a rude outpost.

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The same year that saw the Marquis Duquesne made governor of Canada saw Robert Dinwiddie come out as governor of Virginia, and no one was likelier than he to mark and comprehend the situation on the border. Mr. Dinwiddie had been bred in a counting house, for he was the son of a well-to-do merchant of Glasgow; but business had long since become for him a matter of government. He had gone in his prime to be collector of customs in Bermuda and after serving in that post for eleven years he had been made surveyor general of customs in the southern ports of America,—a post in which he served most acceptably for another ten years. For twenty years he had shown singular zeal and capacity in difficult, and, for many men, demoralizing, matters of administration. He had lived in Virginia when surveyor general of customs. During the two years which immediately preceded his appointment to the governorship of the Old Dominion he had engaged in business on his own account in London, and had become by purchase one of the twenty stockholders of the Ohio Land Company. He came to his new office, therefore, acquainted in more than one way with the leading men of the colony,—especially with Mr. Augustine Washington, now the Ohio Company's president, and the little group of influential gentlemen,—Lees, Fairfaxes, and the rest,—often to be found gathered at Mount Vernon. He came, therefore, with his eyes on the western lands where the company and his government were alike bound to see to it that the French were checked.

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He saw Duquesne's movement, consequently, at its very outset, warned the government at home, and was promptly instructed to require the French "peaceably to depart," and if they would not go for the warning, "to drive them off by force of arms." He chose as his messenger to carry the summons Mr. George Washington, half-brother to Mr. Augustine Washington, of Mount Vernon. George Washington was only a lad of twenty-one; but he had hardened already to the work of a man. He had received no schooling in England such as Augustine had had, but had gone from the simple schools and tutors of the Virginian country-side to serve as a surveyor for Lord Fairfax in the rough country of the Shenandoah,—whither Fairfax, heir of the old Culpeper grants, had come to seek a life away from courts in the picturesque wilderness of America. Augustine Washington died the very year Mr. Dinwiddie became governor, though he was but thirty four; and he had left George, lad though he was, to administer his estate and serve in his stead as commander of the militia of eleven counties. Governor Dinwiddie knew whom he was choosing when he sent this drilled and experienced youngster, already a frontiersman, to bid the French leave the Ohio.

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The message was carried in the dead of winter to the grave and courteous soldier who commanded at Fort Le Boeuf; and Washington tried the endurance even of the veteran frontiersman who accompanied him by the forced marches he made thither and back again through the dense and frosted woods, across frozen streams, and through the pathless, storm-beaten tangles of deep forests, where there was hardly so much as the track of a bison for their horses to walk in. He reported that the French had received him very graciously; but had claimed the Ohio as their own, had made no pretence that they would abandon it because the English bade them, and clearly meant to establish themselves where they were. Juniors among their officers had told him so very plainly as he sat with them after dinner in a house which they had seized from an English trader.

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He was back at Williamsburg with his report by the middle of January, 1754; and the next month a small body of frontiersmen was hurried forward to make a clearing at the forks of the Ohio and begin the construction of fortifications there ere spring came, and the French. The French came, nevertheless, all too soon. By the 17th of April their canoes swarmed there, bearing five hundred men and field ordnance, and the forty Englishmen who held the rude, unfinished defences of the place had no choice but to retire or be blown into the water. The French knew the importance of the place as a key to the western lands, and they meant to have it, though they should take it by an open act of war. Their force there numbered fourteen hundred before summer came. They built a veritable fort, of the rough frontier pattern, but strong enough, as it seemed, to make the post secure, and waited to see what the English would do.

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Dinwiddie had acted with good Scots capacity, as efficiently and as promptly as he could with the power he had. He was obliged to deal with a colonial assembly,—the French governors were not; and the Virginian burgesses thought of domestic matters when Dinwiddie's thought was at the frontier. While Washington was deep in the forests, bearing his message, they quarrelled with the governor about the new fees which were charged since his coming for grants of the public land; and they refused him money because he would not yield in the matter. But when they knew how things actually stood in the West, and saw that the governor would levy troops for the exigency whether they acted with him or not, and pay for them out of his own pocket if necessary, they voted supplies.

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There was no highway of open rivers for the Virginians, as for the French, by which they could descend to the forks of the Ohio; and Virginia had no troops ready as the French had. Raw levies of volunteers had first to be got together; and when they had been hastily gathered, clothed, and a little drilled, the first use to which it was necessary to put them was to cut a rough, mountainous road for themselves through the untouched forests which lay thick upon the towering Blue Ridge! It was painfully slow work, wrought at for week after week, and the French were safely intrenched at their fort "Duquesne" before the tired Virginian recruits had crossed the crest of the mountains. By midsummer they were ready to strike and drive the English back.

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Blood had been spilled between the rivals ere that. Washington was in command of the little force which had cut its way through the forest, and he did not understand that he had been sent into the West this time merely to bear a message. When, therefore, one day in May (28 May, 1754) he found a party of French lurking at his front in a thicketed glade, he did not hesitate to lead an attacking party of forty against them. The young commander of the French scouts was killed in the sharp encounter, and his thirty men were made prisoners. Men on both sides of the sea knew, when they heard that news, that war had begun. Young Washington had forced the hands of the statesmen in London and Paris, and all Europe presently took fire from the flame he had kindled. In July, Washington was obliged to retire. He had only three hundred and fifty men, all told, at the rudely intrenched camp which he had constructed in the open glade of "Great Meadows" as the best place to await reinforcements; and in July the French were upon him with a force of seven hundred. All day he fought (3 July, 1754), and in a drenching rain, the French firing from the edges of the woods, his own men in their shallow, flooded trenches in the open; but by night he knew he must give way. The French offered him an honorable capitulation, and the next day let him go untouched, men and arms, with such stores as he could carry.

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It was a bad beginning at winning the West from the French; and all the worse because it showed how weak the English were at such work. The danger was not Virginia's alone; it touched all the English in America; but the colonies could not cooperate, and, when they acted at all, acted sluggishly, as if war would wait for both parties to get ready. The assemblies of Pennsylvania and New York declared very coldly that they did not see what right the English crown had to the valley of the Ohio. Maryland had been about to raise a force, but had not yet done so when the fatal day at Great Meadows came. Two "independent companies" in the King's pay had been ordered from New York, and a like company from South Carolina; and North Carolina had sent forward three hundred and fifty men; but only the single company from South Carolina had reached Great Meadows, where Washington was, before the French were upon him.

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Dinwiddie and every other governor who heeded or wrote of the business told the ministers in England that they must act, and send the King's own troops; and happily the ministers saw at last the importance of what should be won or lost in America. Troops were sent. For Europe it was the beginning of the Seven Years' War (1755-1763), which was to see the great Frederick of Prussia prove his mastery in the field; which was to spread from Europe to Asia and to Africa; which was to wrest from the French for England both India and America. But for the colonists in America it was only "the French and Indian War." Their own continent was the seat of their thoughts.

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The beginnings the home government made were small and weak enough; but it did at least act, and it was likely that, should it keep long enough at the business, it would at last learn and do all that was necessary to make good its mastery against a weaker rival. By the 20th of February, 1755, transports were in the Chesapeake, bringing two regiments of the King's regulars, to be sent against Duquesne. The French, too, were astir. Early in the spring eighteen French ships of war sailed for Canada, carrying six battalions and a new governor; and though the English put an equal fleet to sea to intercept them, the Frenchmen got into the St. Lawrence with a loss of but two of their ships, which had strayed from the fleet and been found by the English befogged and bewildered off the American coast. The scene was set for war both north and south.

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Major General Edward Braddock commanded the regiments sent to Virginia, and was commissioned to be commander-in-chief in America. He therefore called the principal colonial governors to a conference at Alexandria, his headquarters. By the middle of April five had come: Robert Dinwiddie, of course, the governor of Virginia; Robert Hunter Morris, whose thankless task it was to get war votes out of the Pennsylvanian assembly of Quakers and lethargic German farmers; Horatio Sharpe, the brave and energetic gentleman who was governor of Maryland; James DeLancey, the people's governor, of New York; and William Shirley, governor of Massachusetts, past sixty, but as strenuous as Dinwiddie, and eager for the field though he had been bred a lawyer,—every inch "a gentleman and politician," it was said. It was he who had done most to organize and expedite the attack on Louisbourg which had succeeded so handsomely ten years ago (1745). He would at any rate not fail for lack of self-confidence. The conference planned an attack on Niagara, to be led by Shirley himself, to cut the French off from Duquesne; an attack on Crown Point, to be led by Colonel William Johnson, of New York, whom the Mohawks would follow, to break the hold of the French on Champlain; an attack upon Beausejour, in Acadia, under the leadership of Lieutenant-Colonel Monckton, of the King's regulars; and a movement under the command of General Braddock himself straight through the forests against Duquesne, by the way Washington had cut to Great Meadows.

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It would have been much better had General Braddock chosen a route farther to the north, where the Pennsylvanian farmers of the frontier had begun to make roads and open the forests for the plough; but it made little difference, after all, which way he went: his temper and his training doomed him to fail. He lacked neither courage nor capacity, but he sadly lacked discretion. He meant to make his campaign in the wilderness by the rules of war he had learned in Europe, where the forests were cleared away and no subtile savages could dog or ambush an army; and he would take no advice from provincials. Few but Washington cared to volunteer advice, for the commander-in-chief was "a very Iroquois in disposition." He took two thousand men into the wilderness, with artillery trains and baggage: fourteen hundred regulars, nearly five hundred Virginians, horse and foot, two independent companies from New York, and sailors from the transports to rig tackle to get his stores and field-pieces out of difficulties in the rough road. Washington went with the confident commander, by special invitation, to act as one of his aides, and was the only provincial officer whose advice was given so much as consideration during all the weary weeks in which the little army widened and levelled its way with axe and spade through the dense woods. And then the fatal day came which filled all the colonies with dismay.

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The French commander at Duquesne had no such force as Braddock was bringing against him. He expected to be obliged to retire. But on the 9th of July the English general, with his advance force of twelve hundred men, forded the shallow Monongahela but eight miles from Duquesne, and striking into the trail which led to the fort, walked into an ambush. A thousand men,—Indians, chiefly, and Canadian provincials, poured a deadly fire upon him from the thick cover of the woods on either hand. He would not open his order and meet the attack in forest fashion, as Washington begged him to do, but kept his men formed and crowded in the open spaces of the road, to be almost annihilated, and driven back, a mere remnant, in utter rout. It was shameful, pitiful. Washington and his Virginian rangers could with difficulty keep the rear when the rout came, and bring the stricken commander off, to die in the retreat. Dinwiddie could not persuade the officers left in command even to stay upon the Virginian frontier to keep the border settlements safe against the savages. It was Washington's impossible task for the rest of the war to guard three hundred and fifty miles of frontier with a handful of half-fed provincial militia, where the little huts and tiny settlements of the Scots-Irish immigrants lay scattered far and wide among the foothills and valleys of the spreading mountain country, open everywhere to the swift and secret onset of the pitiless redskins.

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Braddock's papers, abandoned in the panic of the rout, fell into the hands of the French, and made known to them all the English plans. They were warned what to do, and did it as promptly as possible. Shirley gave up the attempt to take Niagara before reaching the lake. Johnson, assisted by Lyman, of Connecticut, met the French under Dieskau at Lake George, and drove them back (September 8, 1755),—the commander and part of the force the French had so hastily despatched to America in the spring—and Dieskau himself fell into their hands; but they did not follow up their success or shake the hold of the French upon the line of lakes and streams which ran from the heart of New York, like a highway, to the valley of the St. Lawrence. The attack upon Beausejour alone accomplished what was planned. A force of two thousand New England provincials under Colonel Monckton and Colonel John Winslow, found the half-finished fortifications of the French on Beausejour hill in their hands almost before their siege was fairly placed; and Acadia was more than ever secure.

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There followed nearly three years of unbroken failure and defeat. In 1756 the Marquis Montcalm succeeded Dieskau as commander in Canada, and the very year of his coming took and destroyed the English forts at Oswego. That same year the Earl of London came over to take charge of the war for the English; but he did nothing effective. The government at home sent reinforcements, but nothing was done with them that counted for success. "I dread to hear from America," exclaimed Pitt. In 1757 London withdrew the best of his forces to the north, to make an attack on Louisbourg. Montcalm took advantage of the movement to capture Fort William Henry, the advanced post of the English on Lake George; and London failed in his designs against Louisbourg. Even the stout and wily English frontiersmen of the northern border found themselves for a little while overmatched. In March, 1758, Robert Rogers, the doughty New Hampshire ranger whose successful exploits of daring all the northern border knew, was beaten by a scouting party from Ticonderoga, and barely came off with his life. The pouring in of troops, even of regulars from over sea, seemed to count for nothing. General James Abercrombie led an army of fifteen thousand men, six thousand of them regulars, against Ticonderoga, where Montcalm had less than four thousand; blundered at every critical point of the attack; lost two thousand men; and retired almost as if in flight (July, 1758).

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But that was the end of failure. The year 1757 had seen the great Pitt come into control of affairs in England, and no more incompetent men were chosen to command in America. Pitt had been mistaken in regard to Abercrombie, whom he had retained; but he made no more mistakes of that kind, and a war of failure was transformed into a war of victories, quick and decisive. Two more years, and the French no longer had possessions in America that any nation need covet. Pitt saw to it that the forces, as well as the talents, used were adequate. In July, 1758, a powerful fleet under Admiral Boscawen, and twelve thousand troops under General Jeffrey Amherst, whom Pitt had specially chosen for the command, invested and took Louisbourg. In August, Colonel John Bradstreet, with three thousand of Abercrombie's men, drove the French from Fort Frontenac at Oswego. In November the french abandoned Fort Duquesne upon the approach of a force under General Forbes and Colonel Washington. In June, 1759, Johnson captured the French fort at Niagara and cut the route to the Ohio,—where Fort Duquesne gave place to Fort Pitt. At midsummer General Amherst, after his thorough fashion, led eleven thousand men against Ticonderoga, and had the satisfaction of seeing the French retire before him. He cleared Lake George and captured and strengthened Crown Point upon Champlain. The French needed all their power in the north, for Pitt had sent Wolfe against Quebec. They had concentrated quite fourteen thousand men in and about the towering city ere Wolfe came with scarcely nine thousand (June 21,1759), and their fortifications stood everywhere ready to defend the place. For close upon three months the English struck at their strength in vain, first here and then there, in their busy efforts to find a spot whereto get a foothold against the massive stronghold,—Montcalm holding all the while within his defences to tire then, out; until at last, upon a night in September which all the world remembers, Wolfe made his way by a path which lay within a deep ravine upward to the heights of Abraham, and there lost his life and won Canada for England (September 13, 1759).

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After that the rest of the task was simple enough. The next year Montreal was yielded up, all Canada passed into the hands of the English, and the war was practically over. There were yet three more years to wait before formal peace should be concluded, because the nations of Europe did not decide their affairs by the issue of battles and sieges in America; but for the English colonies the great struggle was ended. By the formal peace, signed in 1763, at Paris, England gained Canada, Nova Scotia, Cape Breton Island, and all the islands of the Gulf of St. Lawrence, the river and harbor of Mobile, and all the disputed lands of the continent, north and south, between the eastern mountain ranges and mid-stream of the Mississippi, except New Orleans,—besides the free navigation of the great river. From Spain she got Florida. France had the year before (1762) ceded to Spain her province of "Louisiana," the great region beyond the Mississippi, whose extent and boundaries no man could tell. She was utterly stripped of her American possessions, and the English might look forward to a new age in their colonies.

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The general authorities for the condition of the country and the movement of affairs during this period are the well known histories of Bancroft, Hildreth, and Bryant the third volume of J. A. Doyle's English Colonies in America; the third volume of J. G. Palfrey's Compendious History of New England; W. B. Weeden's Economic and Social History of New England; Mr. Barrett Wendell's Cotton Mather; Mr. Eben G. Scott's Development of Constitutional Liberty in the English Colonies of America; C. W. Baird's Huguenot Emigration to America; James Russell Lowell's New England Two Centuries Ago, in his Among My Books; Mr. Brooks Adams's Emancipation of Massachusetts; Madame Knight's Journal (1704); John Fontaine's Diary, in the Memoirs of a Huguenot Family; and Benjamin Franklin's Autobiography.

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A more particular account of many of the transactions that fell within the period may be found in Justin Winsor's New England, 1640-1763, in the fifth volume of Winsor's Narrative and Critical History of America; Berthold Fernow's Middle Colonies, Justin Winsor's Maryland and Virginia, and William J. Rivers's The Carolinas, in the same volume of Winsor; Charles C. Smith's The Wars on the Seaboard: Acadia and Cape Breton, and Justin Winsor's Struggle for the Great Valleys of North America, in the same volume of Winsor.

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The chief authorities for the settlement and early history of Georgia are Bancroft, Hildreth, and Bryant; Charles C. Jones's History of Georgia and English Colonization of Georgia in the fifth volume of Winsor's Narrative and Critical History of America; W. E. H. Lecky's History of England in the Eighteenth Century; Alexander Hewatt's Historical Account of the Rise and Progress of the Colonies of South Carolina and Georgia, in Carroll's Historical Collections of South Carolina; the first and second volumes of Peter Force's Tracts and Other Papers relating to the Colonies in North America; and the Colonial Acts of Georgia.

Chapter 2:

The Parting of the Ways

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NO one who marked how the English colonies had grown, and how the French had lagged in the effectual settlement and mastery of the regions they had taken, could wonder that in the final struggle for supremacy the English had won and the French lost everything there was to fight for. The French had been as long on the continent as the English, and yet they did not have one-tenth the strength of the English, either in population or in wealth, when this war came. There were fifty-five thousand white colonists in Canada, all told; and only twenty-five thousand more in all the thin line of posts and hamlets which stretched from the St. Lawrence through the long valley of the Mississippi to the Gulf,—eighty thousand in all. In the English settlements there were more than a million colonists (1,160,000), not scattered in separated posts set far apart in the forested wilderness, but clustered thick in towns and villages, or In neighborly plantations, where the forest had been cleared away, roads made, and trade and peace established. The English had been seeking, not conquest, but comfort and wealth in busy centres and populous country-sides, where their life now ran as strong and as calm, almost, as if they were still in the old lands of England itself. The French, on the contrary, were placed where their government wished them to be; could hardly be said to have formed independent communities at all; and were glad if they could so much as eke out a decent subsistence from the soil, or from food brought by ship from France over sea. The English spread very slowly, considering how fast they came, and kept in some sort a solid mass; but the result was that they thoroughly possessed the country as they went, and made homes, working out a life of their own. The French merely built frontier posts, the while, on the lakes and rivers, as they were bidden or guided or exhorted by their governors; took up such land as was assigned them by royal order; did their daily stint of work, and expected nothing better. Thee were, moreover, painfully, perilously isolated. Ships could come from England to any part of the English coasts of America in five weeks, whereas it was a good six months' journey from France to the frontier posts upon the lakes or by the far-away western rivers. The St. Lawrence was closed for nearly half the year by ice; and it was a weary task to get any boat up the stream of the endless Mississippi against its slow tide of waters and through the puzzling, shifting channels of its winding course.

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The Marquis Duquesne had called the Iroquois to a council in 1754, ere he left his governorship, and had commended his sovereign's government to them because of this very difference between French and English. "Are you ignorant," he said, "of the difference between the King of England and the King of France? Go, see the forts that our King has established, and you will see that you can still hunt under their very walls. They have been placed for your advantage in places which you frequent. The English, on the contrary, are no sooner in possession of a place than the game is driven away. The forest falls before them as they advance, and the soil is laid bare so that you can scarce find the wherewithal to erect a shelter for the night." Perhaps Duquesne, being a soldier and no statesman, did not realize all that this difference meant. The French posts, with the forests close about them, were not self-supporting communities such as everywhere filled the English dominion. Their governors were soldiers, their inhabitants a garrison, the few settlers near at hand traders, not husbandmen or at best mere tenants of the crown of France. No doubt it was easier for the savages to approach and trade with them; but it would turn out to be infinitely harder for the French to keep them. Their occupants had struck no deep rootage into the soil they were seated upon, as the English had.

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Englishmen themselves had noted, with some solicitude, how slow their own progress was away from the sea-coast. It was not until 1725 that settlers in Massachusetts had ventured to go so far away from the Bay as the Berkshire Hills. "Our country has now been inhabited more than one hundred and thirty years," exclaimed Colonel Byrd, of Virginia, in 1729, "and still we hardly know anything of the Appalachian Mountains, that are nowhere above two hundred and fifty miles from the sea. Whereas the French, who are later comers, have ranged from Quebec southward as far as the mouth of the Mississippi, in the Bay of Mexico, and to the west almost as far as California, which is either way above two thousand miles." But Colonel Byrd was thinking of discovery, not of settlement; the search for minerals and the natural wealth of the forests, not the search for places to which to extend permanent homes and government. The difference arose out of the fundamental unlikeness of French and English, both in life and in government.

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The statesmen of both France and England accepted the same theory about the use colonies should be put to,—the doctrine and practice everywhere accepted in their day. Colonies were to be used to enrich the countries which possessed them. They should send their characteristic native products to the country which had established them, and for the most part to her alone, and should take her manufactures in exchange; trade nowhere else to her disadvantage; and do and make nothing which could bring them into competition with her merchants and manufacturers. But England applied this theory in one way, France in another. It was provoking enough to the English colonists in America to have, in many a petty matter, to evade the exacting Navigation Acts, which restricted their trade and obliged them to buy manufactured goods at prices fixed by the English merchants. It a little cramped and irritated them that they were forbidden to manufacture now this and now that, though the material lay at their very doors, because English manufacturers wished their competition shut out. Restriction was added to restriction. In 1706, naval stores and rice, which the Carolinas were learning to produce to their increasing profit, were added to the list of products which must be sent to England only; and in 1722 copper and furs. In 1732 the manufacture of beaver hats was forbidden, and in 1750 the maintenance of iron furnaces or slit mills. But there was always an effort made at reciprocal advantage. Though the colonies were forbidden to manufacture their iron ores, their bar and pig iron was admitted into England free of duty, and Swedish Iron, which might have undersold it, was held off by a heavy tariff, to the manifest advantage of Maryland and Virginia. Though the rice of the Carolinas for a time got admission to market only through the English middlemen, their naval stores were exported under a heavy bounty; and in 1730, when the restriction laid on the rice trade pinched too shrewdly, it was removed with regard to Portugal, the chief European market open to it. Parliament had generally an eye to building up the trade of the colonies as well as to controlling it.

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The home government, moreover, though it diligently imposed restrictions, was by no means as diligent in enforcing them. An ill-advised statute of 1733 laid prohibitory duties on the importation of sugar, molasses, and rum out of the French West Indies, in the hope that the sales of sugar and molasses in the islands owned by England might be increased. To enforce the act would have been to hazard the utter commercial ruin of New England. Out of the cheap molasses of the French islands she made the rum which was a chief source of her wealth,—the rum with which she bought slaves for Maryland, Virginia, and the Carolinas, and paid her balances to the English merchants. But no serious attempt was made to enforce it. Customs officers and merchants agreed in ignoring it, and officers of the crown shut their eyes to the trade which it forbade. Smuggling upon that long coast was a simple matter, and even at the chief ports only a little circumspection was needed about cargoes out of the Indies.

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Moreover, the men who governed in England contented themselves with general restrictions and did not go on to manage the very lives of the colonists in the colonies themselves. That was what the French did. They built their colonies up by royal order; sent emigrants out as they sent troops, at the King's expense and by the King's direction; could get only men to go, therefore, for the most part, and very few women or families. For the English there was nothing of the sort, after the first. Rich men or great mercantile companies might help emigrants with money or supplies or free gifts of land in order to fill up the colonies which the crown had given them the right to establish and govern; but only those went out who volunteered. Emigrants went, moreover, in families, after the first years were passed and the colonies fairly started, if not at the very outset of the enterprise,—in associated groups, congregations, and small volunteer communities. When they reached the appointed place of settlement they were left to shift for themselves, as they had expected, exactly as they would have been at home; and they insisted upon having the same rights and freedom they would have had there. They were making homes, without assistance or favor, and for their own use and benefit.

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It was inevitable in the circumstances that their colonial governments should be like themselves, homemade and free from control in the management of what chiefly concerned their own lives. They were just as hard to supervise and regulate when the settlements were small as when they grew large and populous,—a little harder, indeed, because the colonists were the more anxious then about how the new life they were beginning, was to go, and the less sure of their power or influence to resist the efforts of the crown to manage and interfere with them. By the time the French war came there was no mistaking the fact that the English colonies had grown to be miniature states, proud, hard fibered, independent in temper, practised in affairs. They had, as Edmund Burke said, "formed within themselves, either by royal instruction or royal charter, assemblies so exceedingly resembling a parliament, in all their forms, functions, and powers, that it was impossible they should not imbibe some opinion of a similar authority." At first, no doubt, their assemblies had been intended to be little more than the managing bodies of corporations. "But nothing in progression can rest on its original plan. We may as well think of rocking a grown man in the cradle of an infant. Therefore, as the colonies prospered and increased to a numerous and mighty people, spreading over a very great tract of the globe, it was natural that they should attribute to assemblies so respectable in their formal constitution some part of the dignity of the great nations which they represented." They "made acts of all sorts and in all cases whatsoever. They levied money upon regular grants to the crown, following all the rules and principles of a parliament, to which they approached every day more and more nearly." And Burke saw how inevitable, as well as how natural, the whole growth had been. "Things could not be otherwise," he said; "English colonies must be had on these terms, or not had at all."

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They had used their governments for their own purposes, and rather like independent states than like dependent communities. In every colony the chief-point of conflict between governor and assembly, whether in the proprietary or in the crown colonies, had always been connected with the subject of salaries. Again and again governors had been instructed to insist upon an adequate income, charged permanently upon some regular source of public revenue; but again and again, as often as made, their demand had been fused. They could get only annual grants, which kept all officers of the crown dependent upon the people's assemblies for maintenance while in office. There had long been signs that the ministers of the King and the proprietors at home were tired of the contest, and meant, for the mere sake of peace, to let the colonial assemblies alone, to rule, as Parliament ruled, by keeping control of the moneys spent upon their own governments.

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There was, too, more and more money in the colonies as the years went by. New England, where, except in the rich valley of the Connecticut, the soil yielded little beyond the bare necessaries of life, led the rest of the colonies in the variety of her industries. Though parliamentary statutes forbade the making of woollen goods or hats or steel for export, the colonists were free to make anything they might need for use or sale within a single colony or in their own homes; and the thrifty New England farmers and villagers made most of their own furniture, tools, and household utensils, while their women or the village weavers wove the linen and woollen stuffs of which their clothes were made. They lived upon their own resources as no other colonists did. And their trade kept six hundred vessels busy plying to and fro to English and foreign ports. Almost every sea-coast hamlet was a port and maintained its little fleet. A thousand vessels, big and little, went every year to the fisheries, or up and down the coasts carrying the trade between colony and colony. A great many of these vessels the colonists had built themselves, out of the splendid timber which stood almost everywhere at hand in their forests; and every one knew who knew anything at all about New England that her seamen were as daring, shrewd, and hardy ast hose bred in past generations in the Devonshire ports of old England. Their boats flocked by the hundreds every year to the misty, perilous banks of Newfoundland, where the cod were to be caught. They beat up and down the long seas In search of the whale all the way from "the frozen recesses of Hudson's Bay and Davis's Straits" to the coasts of Africa and Brazil, far in the south. "Neither the perseverance of Holland, nor the activity of France, nor the dexterous and firm sagacity of English enterprise," exclaimed Burke, "ever carried this most perilous mode of hardy industry to the extent to which it has been pushed by this recent people,—a people who are still, as it were, but in the gristle, and not yet hardened into the bone of manhood."

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Massachusetts had been known, while peace held and men breathed freely, between Queen Anne's and King George's wars, to complete one hundred and fifty ships in a single year, every town upon the coast and even little villages far within the rivers launching vessels from busy shipyards. Ship building became New England's chief industry; and in 1724 the master builders of the Thames prayed Parliament for protection against the competition of the colonies. The annual catch of whale and cod by the New Englanders was worth two hundred and fifty thousand pounds sterling; and, besides fish and fish-oil, they shipped their fine timber, and not a little hay and grain even, across the sea or to the other colonies. Everywhere in America the forests yielded splendid timber, as his Majesty's ministers well knew: for they sent into the northern forests of pine and had the tallest, straightest trees there marked with the royal arms, as a notice that they were reserved to be used as masts for his Majesty's warships,—as if the King had a right to take what he would.

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"New England improved much faster than Virginia," Colonel Byrd admitted; and yet Virginia had her own rich trade, of which tobacco was the chief staple; and all the colonies busied themselves as they could, and visibly grew richer year by year. The middle colonies were scarcely less industrious than those of the bleaker north, and prospered even more readily with their kindlier climate and their richer soil. Pennsylvania, with her two hundred and twenty thousand colonists, with her thrifty mixture of Germans, Quakers, Scots, and Scots-Irishmen, needed a fleet of four hundred sail to carry each season's spare produce from the docks at Philadelphia; and New York had her separate fleet of close upon two hundred sail.

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England depended upon the colonies for much of the naval stores, of the potash, and of the pearl ash which she needed every year. Mines of iron and of copper had been opened both in the middle colonies and in the south. The colonists made their own brick for building, and their own paper and glass, as well as their own coarse stuffs for clothing, and many of their own hats of beaver skin. Substantial houses and fine, sightly streets sprang up in the towns which stood at the chief seaports; and in the country spacious country seats, solidly built, roomy, full of the simpler comforts of gentlefolk. The ships which took hides and fish and provisions to the West Indies brought sugar and molasses and wine and in any a delicacy back upon their return, and the colonists ate and drank and bore themselves like other well-to-do citizens the world over. They were eager always to know what the London fashions were; there was as much etiquetete be observed upon quiet plantations in Virginia as in English drawing rooms. It was, indeed, touched with a certain beauty of its own, because of the provincial simplicity and frank neighborliness which went along with it; but it was grave and punctilious, and intended tobe like London manners. There was as much formality and gayety "in the season" at Williamsburg, Virginia's village capital, as in Philadelphia, the biggest, wealthiest, most stately town in the colonies.

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There were many ways in which the colonies finished and filled out their lives which showed that they regarded themselves as in a sense independent communities and meant to provide for themselves everything they needed for their life alone on a separate continent. They had no thought of actually breaking away from their allegiance to the home government over sea; but no man could possibly overlook the three thousand miles of water that stretched between England and America. At that immense distance they were obliged in great measure to look out for themselves and contrive their own ways of sustenance and development, and their own way of culture. Before the French war began, two more colleges, in addition to Harvard in Massachusetts and William and Mary in Virginia, had been established to provide the higher sort of training for youths who were to enter the learned professions. Besides Yale, the College of New Jersey had been founded. At first set up in 1746 as a collegiate school, at Elizabethtown, it was in 1756 given a permanent home and built up into a notable training place for youth at Princeton. In 1754, the year Washington attacked the French in the western forests, King's College was added to the growing list, in New York, by royal charter. Ten years later (1764), upon the very morrow of the signing of peace, certain public-spirited men of the Baptist communion followed suit in Rhode Island by founding the school which was afterwards to be called Brown University. Here were six colleges for this new English nation at the west of the Atlantic. Many wealthy colonists, particularly in the far south, continued to send their sons to the old country to take their learning from the immemorial sources at Oxford and Cambridge; but more and more the colonies provided learning for themselves.

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Their growing and expanding life, moreover, developed in them the sense of neighborhood to one another, the consciousness of common interests, and the feeling that they ought in many things to cooperate. In 1754, while the first sharp note of war was ringing from the Alleghanies, a conference with the Six Nations was held at Albany, which, besides dealing with the redmen, and binding them once more to be friends and allies of the English against the French, considered nothing less than a plan of union for the colonies. This was the fourth time that the representatives of several colonies at once had come together at Albany to confer with the Iroquois. The first conference had taken place there in 1689, the year King William's War began. Albany lay nearest the country of the Iroquois. It was necessary when war was afoot to make sure that the redskins should side with the English, and not with the French; and that was now for the fourth time, in 1754, more critically important than ever. The home government had directed that the conference be held, before they knew what Washington had done. It was the ministers in London, too, who had directed that a plan of union be considered, in order that the colonies might act in concert in the coming struggle with the French, and if possible under a single government even. Seven colonies were represented at the conference. Twenty-five delegates were there to take part in the business; and there was no difficulty about securing their almost unanimous assent to a plan of union. They adopted the plan which Mr. Benjamin Franklin, one of Pennsylvania's delegates, had drawn up as he made the long journey from Philadelphia.

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Mr. Franklin had led a very notable life during the thirty eventful years which had gone by since he made his way, a mere lad, from Boston to Philadelphia to earn his livelihood as a journeyman 'printer; and how shrewd a knowledge he had gained of the practical affairs of the world anybody could see for himself who would read the homely-wise maxims he had been putting forth these twenty two years in his "Poor Richard's" Almanacs, begun in 1732. The plan of union he suggested at Albany was, that the colonies should submitted have their common interests cared for by a congress of delegates chosen by their several assemblies, and a "president general" appointed and paid by the crown giving to the congress a considerable power of actual law-making and to the president general the right to veto its acts, subject to the approval of the ministers at home. To all the delegates at Albany except those from Connecticut the plan seemed suitable and excellent; but the ministers at home rejected it because they thought it gave too much power to the proposed congress, and the colonial assemblies rejected it because they thought it gave too much power to the president general. Mr. Franklin said that the fact that neither the assemblies nor the King's ministers liked the plan made him suspect that it must be, after all, an excellent half-way measure, the "true medium" between extremes, effecting a particularly fair and equal distribution of power.

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Then the war came, and made many things plain. The colonies did not cooperate. They contributed troops, watched their own frontiers as they could against the redskins, and freely spent both blood and money in the great struggle; but when it was allover, and the French dominion swept from the continent, it was plain that it had not been the power of the colonies but the power of England and the genius of the great Pitt that had won in the critical contest. France could send few reinforcements to Canada because England's ships commanded the sea. The stout Canadians had had to stand out for themselves unaided, with such troops as were already in the colony. In 1759, the year Wolfe took Quebec, there were more soldiers in the English colonies threatening the St. Lawrence than there were men capable of bearing arms in all Canada,—and quite half of them were regulars, not provincials. Pitt saw to it that enough troops and supplies were sent to America to insure success, and that men capable of victory and of efficient management even in the forested wilderness were put in command of affairs in the field. He did not depend upon the colonies to do what he knew they had no plan or organization for doing, but set himself to redress the balance of power in Europe by decisive victories which should make England indisputable mistress of America. "No man ever entered Mr. Pitt's closet who did not find himself braver when he came out than when he went in," said a soldier who had held conference with him and served him; and it was his statesmanship and his use of English arms that had made England's dominion complete and England's colonies safe in America.

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English fleets and armies had not been sent to America, however, and equipped for warfare there, sustained In war season and out of it, without enormous expense; and that expense, which had set the colonies free to live without dread of danger or of confinement at any border, England had borne. It had been part of Mr. Franklin's plan of union, proposed at Albany, that the congress of the colonies should sustain the armies used in their defence and pay for them by taxes levied in America; but that plan had been rejected, and this war for the ousting of the French had been fought at England's cost,—much as the colonies had given of their own blood, and of their own substance for the equipment of their provincial levies, and much as they had suffered in all the obscure and painful fighting to protect their frontiers against the redskins, far away from set fields of battle. They had done more, indeed, than pay the costs which inevitably fell to them. They had "raised, paid, and clothed twenty-five thousand men,—a number," if Mr. Franklin was right,"equal to those sent from Great Britain and far beyond their proportion. They went deeply in debt in doing this; and all their estates and taxes are mortgaged for many years to come in discharging that debt." Parliament had itself acknowledged their loyal liberality and self-sacrifice, and had even voted them 200,000 a year for five years, when the war was over, by way of just reimbursement. But, though they had made sacrifices, they had, of course, not shared with the royal treasury the chief outlays of the war. Colonial governors, viewing affairs as representatives of the government at home, had again and again urged the ministers in London to tax the colonies, by act of Parliament, for means to pay for frontier forts, armies of defence, and all the business of imperial administration in America. But the ministers had hitherto known something of the temper of the colonists in such matters and had been too wise to attempt anything of the kind. Sir George Keith, who had been governor of Pennsylvania, had suggested to Sir Robert Walpole that he should raise revenue in the colonies; but that shrewd politician and man of affairs had flatly declined. "What," he exclaimed, "I have old England against me, and do you think I will have New England likewise?" Chatham had held the same tone. What English armies did in America was part of England's struggle for empire, for a leading station in power and riches in the world, and England should pay for it. The desire of the colonies to control their own direct taxes should be respected. English statesmen, so far, had seen the matter very much as observant Colonel Spotswood had seen it thirty odd years ago. If the ministers should direct moneys to be paid by act of Parliament, he said, "they would find it no easy matter to put such an act into execution"; and he deemed it "against the right of Englishmen," besides, "to be taxed, but by their representatives,"—new colonist though he was, and only the other day a governor of the crown in Virginia, the oldest and most loyal of the colonies.

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It was now more than forty years since Colonel Spotswood, in the days of his governorship, had ridden to the far summit of the Alleghanies and looked down their western slopes towards the regions where England and France were to meet. Since that day he had served the crown very quietly as postmaster general for the colonies. At last he had died (1740) when on the eve of sailing with Virginian troops for Cartagena, about to return at the very end of his days to his old calling of arms. He had lived thirty years in Virginia, all told, and spoke out of abundant knowledge when he expressed a judgment as to what the ministers would find it hard to do in the colonies. He knew, as every man did who had had anything to do with the service of the crown In America, how stubbornly the colonists had resisted every attempt to unite their governments under a single governor or any single system, and how determined they had been to keep their governments in their own hands, notwithstanding they must have seen, as everybody else saw, the manifest advantage of union and a common organization in the face of England's rivals in America, north and south. The King's object in seeking to consolidate the more northern colonies under Sir Edmund Andros, whom New England had so hated, was not to attack their liberties, but "to weld them into one strongly governed state," such as should be able to present a firm front to the encroachments of the French,—a statesmanlike object, which no man who wished to serve the interests of English empire could reasonably criticise. But the colonists had not cared to regard their little commonwealths as pieces of an empire. They regarded them simply as their own homes and seats of self government; and they feared to have them swallowed up in any scheme of consolidation, whatever its object. The French war, consequently, had been fought by the government in England, and not by any government in America.

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Though a few statesmen like Walpole had had the sagacity to divine it, and all leaders in party counsels had instinctively feared it, very few public men in England understood the temper or the unchangeable resolution of the colonies in such matters. Pitt understood it, but now that the war was over he was no longer suffered to be master in affairs. Burke understood it, but few heeded what he said. Such men knew by instant sympathy that this seemingly unreasonable temper of the colonists in great affairs was nothing else than the common English spirit of liberty. The colonists were simply refusing, as all Englishmen would have refused, to be directly ruled in their own affairs, or directly taxed for any purpose whatever, by a government which they themselves had no part in conducting;and, whether reasonable or unreasonable, so long as they remained Englishmen it was useless to try to argue them out of that refusal. "An Englishman," cried Burke, "is the unfittest person on earth to argue another Englishman into slavery"; and he knew that to an Englishman it would seem nothing less than slavery to be stripped of self-government in matters of the purse.

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Now that the French were driven out, it was more useless than ever to argue the point. The chief and most obvious reason for feeling dependent upon the mother country was gone. Awe of the British was gone, too. The provincial levies raised in the colonies had fought alongside the King's troops in all the movements of the war, and had found themselves not a whit less undaunted under fire, not a whit less able to stand and fight, not a whit less needed in victory. Braddock had died loathing the redcoats and wishing to see none but the blue cloth of the Virginian volunteers. When the war began, a regular from over sea had seemed to the colonists an unapproachable master of arms; but the provincials knew when the war was over that the redcoats were no better than they were. They had nothing to remember with mortification except the insulting contempt some of the British officers had shown for them, and the inferior rank and consideration their own officers had been compelled to accept.

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It was the worst possible time the home government could have chosen in which to change its policy of concession towards the colonies and begin to tax and govern them by act of Parliament; and yet that was exactly what the ministers determined to do. No master of affairs or of men, like Walpole or Pitt, was any longer in a place of guiding authority in London. George Grenville was prime minister: a thorough official and very capable man of affairs, of unquestionable integrity, and with a certain not unhandsome courage as of conviction in what he did, but incapable of understanding those who opposed or resisted him, or of winning from them except by an exercise of power. The late war had been no mere "French and Indian" affair for English statesmen. It had been part of that stupendous" Seven Years' War" which had fixed Prussia in a place of power under the great Frederick, and had changed the whole balance of power in Europe; had brought India under England's widening dominion on one side of the world and America on the other,—had been a vast game which the stout little island kingdom had played almost alone against united Europe. It had not been a mere American war. America had reaped the benefits of England's effort to found an empire and secure it, east and west. And yet the colonists seemed, when this momentous war by which they had so profited was over, to drop into indifference towards everything that remained to be done to finish what had been so well begun, even though it remained to be done at their own very doors.

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France had ceded to England as a result of the war all the vast territory which lay upon the St. Lawrence and between the Mississippi and the eastern mountains, north and south. It was possible to provide a government for the province of Quebec and for the lands in the far south, in Florida and beside the mouths of the Mississippi; but between these lay the long regions which stretched, unsettled, along the great streams which ran everywhere into the Mississippi—the Illinois country, the country round about the Ohio, the regions by the Cumberland,—all the boundless back country" which lay directly behind the colonies at the west. The Lords Commissioners for Trade and Plantations in London wished to keep settlers out of these lands, in order that they might be left as a great hunting ground for the Indians, and so remain a permanent source of supply for the fur skins which enriched trade between the mother country and her colonies. But, meanwhile, whether settlers made their way thither or not, it was necessary to carry England's power among the Indians, and make them know that she, and not the King of France, was now sovereign there. This the Indians were slow to believe. They could not know what treaty-makers in Europe had decided: they did not believe that the French would leave and the English come in in their stead at the western forts; and it moved them hotly to think of such a change. The French had made them welcome at their frontier posts, and did not drive off the game, as Duquesne had told them, ere this fatal war began. The French had been willing to be comrades with them, and had dealt with them with a certain gracious courtesy and consideration; while the English treated them, when they dared, like dogs rather than like men, drove them far into the forests at their front as they advanced their settlements, bullied them, and often cheated them in trade. It was intolerable to the northern Indians to think of these men whom they feared and hated being substituted for the French, with whom they found at least possible to live.

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They were dangerous neighbors, and the danger was near and palpable. The war with the French was hardly over when English settlers began to pour across the Alleghanies from Pennsylvania, Maryland, and Virginia,—men of the stern and sober Scots-Irish breeding for the most part, masterful and imperious, and sure to make the lands they settled upon entirely their own. There were already tribes among the Indians in the northwest who had been driven out of Pennsylvania by the earlier movements of these same people, and who had taken with them to their new homes the distress and the dread of exile. It were fatal, they knew, to wait. If the English were ever to be driven within the barriers of the Alleghanies again, it must be done now, and all the tribes must rally to the desperate business.

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They found a leader in Pontiac, a chief of the Ottawas. A dozen powerful tribes heeded him when he counselled secret confederacy, and, when all should be ready, sudden war; and the English presently had reason to know how able an enemy they had to fear,—a man of deep counsel, astute and masterful. In June, 1763, the first blow was struck,—from end to end of the open border,—even the Senecas, one of the Six Nations, joining in the bitter work. Every frontier fort except Detroit, Niagara, and Pitt was in their hands at the first surprise: smoking ruins and the bodies of white men slain marked all the borders where the French had been. The English rallied, stubborn and undaunted. Three forts at least were saved. There were men at hand like Colonel Bouquet, the gallant officer who went to the relief of Fort Pitt, who knew the strategy of the forest as well as the redskins did, and used steadfast English, not fickle savages, in the fighting; and, though the work was infinitely hard and perilous and slow in the doing, within two years it was done. Before the year 1765, was out, Pontiac had been brought to book, had acknowledged himself beaten, and had sued for peace.

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But by that time the English ministers knew the nature of the task which awaited them in America. It was plain that they must strengthen the frontier posts and maintain a force of soldiers in the colonies, if English power was to be safe there, and English lives. Not fewer than twenty thousand men would be needed; and it would be necessary to organize government, civil as well as military, in a more effective way. It might be necessary to pay the colonial judges and even the colonial governors out of the general treasury of the empire, rather than leave them always dependent upon the uncertain grants of the colonial legislatures. The new plans would, taken all together, involve, it was reckoned, the expenditure of at least 300,000 a year. Mr. Grenville, now at the head of the government in England, was a lawyer and a man of business. "He took public business not as a duty which he was to fulfil, but as a pleasure he was to enjoy," and, unfortunately, he regarded American affairs as ordinary matters of duty and of business. England had spent 60,000,000 sterling to put the French out of America; 140,000,000 had been added to the national debt. Her own sources of revenue were quite run dry. Mr. Grenville and his colleagues did not know where else to turn for another penny, if not to America. They therefore determined that, since heavy additional expenditures must be undertaken for the proper administration and defence of the colonies, America must be made to supply at least a part of the money to meet them. Not all of it. It was the ministers' first idea to raise only 100,000 out of the 300,000 by taxes directly derived from the colonies: and every farthing of that, with twice as much more, was to be spent, of course, in America. The money was none of it to cross the see. It was to remain in the colonial treasuries until expended for colonial administration and defence.

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Some men there were in England who were far-sighted enough to see what this new policy would lead to; but Grenville did not, and Parliament did not. In March, 1764, therefore, upon the introduction of his annual budget, the prime minister introduced a bill, which was passed, laying fresh and more effective taxes on wines, sugar, and molasses imported into the colonies, tightening and extending the old Navigation Acts, and still further restraining manufactures; and at the same time announced that he would, the next year, propose a moderate direct tax upon the colonies in the form of an act requiring revenue stamps to be used on the principal sorts of documents employed in America in legal and mercantile business.

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Mr. Grenville had no desire to irritate the Americans. He thought they might protest; he never dreamed they would disobey. He was, no doubt, surprised when he learned how hot their protests were; and when his Stamp Act the next year became law, their anger and flat defiance must have seemed to him mere wanton rebellion. He introduced the Stamp Act with his budget of 1765. The Commons gave only a single sitting to the discussion of its principles; passed it almost without opposition; and by the 22d of March it was law. A few members protested. Colonel Barre, standing there in his place, square, swarthy, a soldier from the field, that staring wound upon his face which he had taken where Wolfe died, on the Plains of Abraham, told the ministers very flatly that the colonists, whom he had seen and fought for, owed to them neither the planting nor the nourishing of their colonies, had a liberty they had made for themselves, were very jealous of that liberty, and would vindicate it. Benjamin Franklin was in London to make protest for Pennsylvania; and the agents of the other colonies were as active as he, and as ready to promise that the colonial legislatures would themselves grant out of their own treasuries more than the Act could yield, if only they were left to do it in their own way. Mr. Franklin had pointed out in very plain terms how sharp a departure there was in such measures from the traditional dealings of the crown with the colonies, how loyal they had been in granting supplies when required, and how in a new way of taxation would sit upon the spirits of the colonists. But the vote for the bill was five to one. Neither the ministers nor the Commons showed the least hesitation or misgiving.

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The Act operated in America like a spark dropped on tinder. First dismay, then anger, then riot and open defiance, showed what the colonists thought and meant to do. Their own agents in London were as little prepared as the ministers themselves for the sudden passion. They had asked for appointments for their friends as stamp distributers under the Act. Richard Henry Lee, of Virginia, even asked for a place for himself under it, so different a look did things wear in London from that which they wore at home in the Old Dominion. But these gentlemen learned the temper of America, and changed their own, soon enough. The Act was in no way extraordinary or oppressive in its provisions. It required of the colonists only what was already required in respect of business transactions in England: namely, that revenue stamps;of values varying with the character of the transaction or the amount involved, should be attached to all deeds, wills, policies of insurance, and clearance papers for ships, to legal papers of almost every kind, to all written contracts and most of the business papers used by merchants in their formal dealings, and to all periodical publications and advertisements. The colonies themselves had imposed such taxes; in England they had been used since William and Mary, and had proved eminently convenient and easy of collection. Governor Shirley, of Massachusetts, had himself urged that Parliament use them in America, American though he was. Mr. Franklin had taken it for granted, when he saw the Act become law, that they must be submitted to. But America flatly refused obedience, and, except in the newly conquered provinces of Nova Scotia and Canada, the stamps were not used.

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The Act was not to go into operation until the 1st of November (1765); but long before the first of November it was evident that it would not go into effect at all. It was universally condemned and made impossible of application. There was instant protest from the colonial assemblies so soon as it was known that the Act was passed; and the assembly of Massachusetts proposed that a congress of delegates from the several colonies be held in October, ere the Act went into effect, to decide what should be done to serve their common interest in the critical matter. The agitations and tumults of that eventful summer were not soon forgot. In August, Boston witnessed an outbreak such as she had never witnessed before. Mr. Andrew Oliver, who had been appointed distributer of the stamps there, was burned in effigy; the house in which it was thought the stamps were to be stored was torn down; Mr. Oliver's residence was broken into and many of its furnishings were destroyed. He hastily resigned his obnoxious office. Mobs then plundered the house of the deputy registrar of the court of admiralty, destroying his private papers and the records and files of the court,—because the new acts of trade and taxation gave new powers to that court. The house of the comptroller of customs was sacked. Mr. Thomas Hutchinsson, the lieutenant-governor of the colony, found himself obliged, on the night of the 26th, to flee for his life; and returned when order was restored to find his home stripped of everything it contained, including nine hundred pounds sterling in money, and manuscripts and books which he had been thirty years collecting. Only the walls and floors of the house remained.

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There was no violence elsewhere to equal this in Boston. There was tumult everywhere, but in most places the mobs contented themselves with burning the stamp agents in effigy and frightening them into the instant relinquishment of their offices. Not until the autumn came, and the day for the application of the Act, did they show a serious temper again. Then New York also saw a house sacked and its furniture used to feed a bonfire. The people insisted upon having the stamps handed over to their own city officers; and when more came they seized and burned them. At Philadelphia many Quakers and Church of England men, and some Baptists, made as if they would have obeyed the Act; but the mobs saw to it that they should not have the chance. The stamp distributer was compelled to resign, and there was no one from whom stamps could be obtained. Stamp distributers who would not resign found it best to seek safety in flight. There was no one in all the colonies, north or south, who had authority to distribute the hated pieces of stamped paper which the ministers had expected would so conveniently yield them a modest revenue for their colonial expenses. There was a little confusion and inconvenience for a time. The courts hesitated to transact business without affixing the stamps required to their written pleadings; it seemed imprudent to send ships out without stamps on their clearance papers; business men doubted what would come of using no stamps in their transactions. But the hesitation did not last long. Business was presently going forward, in court and out, as before, and never a stamp used!

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It was singular and significant how immediately and easily the colonies drew together to meet the common danger and express a common purpose. Early in October the congress which Massachusetts had asked for came together at New York, the delegates of nine colonies attending. It drew up and sent over sea a statement of the right of the colonies to tax and govern themselves,—as loyal to the King, but not as subject to Parliament,—which arrested the attention of the world. Mr. Grenville and his colleagues were just then, by a fortunate turn of politics at home, most opportunely obliged to resign, and gave place to the moderate Whigs who followed Lord Rockingham (July, 1765), and who thought the protests of the colonies not unreasonable. On the 18th of March, 1766. Accordingly, the Stamp Act was repealed,—within a year of its enactment. It was at the same time declared, however, by special declaratory act, that Parliament had sovereign right to tax the colonies, and legislate for them, if it pleased. It was out of grace and good policy, the ministers declared, that the tax was withdrawn; a concession, not of right, but of good feeling; and everybody knew that it was done as much because the London merchants were frightened by the resolution of the American merchants to take no cargoes under the tax as because the colonies had declined to submit. But the results were nonetheless salutary. The rejoicings in America were as boisterous and as universal as had been the tempest of resentment.

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But that was not the end of the matter. The Stamp Act had suddenly brought to light and consciousness principles and passions not likely to be again submerged, and which it was worth the while of statesmen over sea to look into very carefully. Some there were in England who understood them well enough. Mr. John Adams used to say, long afterwards, that the trouble seemed to him to have begun, not in 1765, but in 1761. It was in that year that all the colonies, north and south, had heard of what James Otis had said in the chief court of the province at Boston against the general warrants, the sweeping writs of assistance, for which the customs officers of the crown had asked, to enable them to search as they pleased for goods brought in from foreign parts in defiance of the acts of trade. The writs were not new, and Mr. Otis's protest had not put a stop to their issue. It had proved of no avail to say, as he did, that they were an intolerable invasion of individual right, flat violations of principles of law which had become a part of the very constitution of the realm, and that even an act of Parliament could not legalize them. But all the colonies had noted that hot contest in the court at Boston, because Mr. Otis had spoken with a singular eloquence which quickened men's pulses and irresistibly swung their minds into the current of his own thought, and because it had made them more sharply aware than before of what the ministers at home were doing to fix upon the colonies the direct power of the government over sea. These writs of assistance gave the officers who held them authority to search any place they pleased for smuggled goods, whether private residence or public store-house, with or without reasonable ground of suspicion, and meant that the government had at last seriously determined, at whatever cost, to break up the trade with the West Indies and the Spanish Main. Presently armed cutters were put on the coasts the more effectually to stop it. A vice-admiralty court was set up to condemn the cargo esseized, without a jury. The duties were to be rigorously collected and the trade broken up, for the sake of the sugar growers of the British West Indies and merchants in London.

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If New England could no longer send her horses, cattle, lumber, casks, and fish to the French islands and the Spanish Main, and bring thence, in exchange for them, sugar and molasses, she must let her ships at the wharves and five thousand of her seamen go idle and starve; must seek elsewhere for a market for her chief products; could make no more rum with which to carry on her home trade in spirits or her traffic in slaves on the slave coast; must forego her profits at the southern ports, and go without the convenient bills drawn on exported Virginian tobacco wherewith she had been used to pay her debts to the London merchants. For thirty years and more it had been understood that the duties on that trade were not to be collected; but now, of a sudden, the law was to be carried out by armed vessels, writs of general search, and the summary proceedings of a court of admiralty. In 1764 Mr. Grenville had drawn the lines tighter than ever by a readjustment of duties. That meant ruin; and the Stamp Act was but the last touch of exasperation. The disposition of the ministers seemed all the more obvious because of the obnoxious "Quartering Act" which went along with the Stamp Act. They were authorized by Parliament to quarter troops in the colonies, and by special enactment the colonists were required to provide the troops with lodgings, firewood, bedding, drink, soap, and candles.

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There were other causes of irritation which touched the colonists almost as nearly. In 1740 the Massachusetts assembly had set up a Land Bank authorized to issue notes based upon nothing but mortgages on land and personal bonds, with surety, given by those who subscribed to its support, and Parliament, at the solicitation of Boston men who knew what certain disaster such a bank would bring upon the business of the colony, had thrust in its hand and suppressed it. The scheme had been in great favor among the men of the country districts, and its suppression by direct act of Parliament had stirred them to adeep resentment. "The Act to destroy the Land Bank scheme," John Adams declared, had "raised a greater ferment in the province than the Stamp Act did"; and it made the men who had resented it all the readier to take fire at the imposition of the stamp duties. The churches of the province had been deeply alarmed, too, by the effort of English churchmen to establish bishops in America, as if in preparation for a full Establishment; and the clergy were, almost to a man, suspicious of the government. The lumbermen of the forests felt the constant irritation of the crown's claim to all their best sticks of timber for the royal navy, and were themselves fit fuel for agitation. Each class seemed to have its special reason for looking askance at every-thing that savored of control from over sea. The measures taken against the trade with the Indies were but the latest item in a growing account.

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Massachusetts and the greater trading ports of the south felt the burden of the new policy more than the rest of the country felt it; but thoughtful men everywhere saw what it portended that Parliament should thus lay its hand directly upon the colonies to tax, and in some sort to govern, them. Quite as many men could tell you of the "parson's case," tried in quiet Hanover Court House In rural Virginia, as could tell you of Mr. Otis's speech against the writs of assistance. It meant that the authorities in London were thrusting their hands into the affairs of Virginia just as they were thrusting them into the affairs of Massachusetts. Parson Maury had in that case set up an Order in Council by the ministers at home against an act of the Virginian House of Burgesses determining the value of the currency in which his salary was to be paid, and young Patrick Henry had sprung into sudden fame by declaring to the court very boldly against him that the crown had no right to override the self-government of Virginia.

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The eloquence of that famous speech carried the young advocate to the House of Burgesses itself; and it was he who showed he colonies how to speak of the Stamp Act. The burgesses were in session when the news of that hateful law's enactment reached Virginia. The young member waited patiently for the older members of the House to show the way in the new crisis,—Randolph and Pendleton and Nicholas, Richard Bland and George Wythe,—the men who had framed so weighty a protest and warning and sent so strong a remonstrance over sea only last year against this very measure. But when he saw that they would not lead, he sprang to the task himself, plain, country-bred though he was, and unschooled in that leadership; scribbled his resolutions on the fly-leaf of an old law-book, and carried them with a rush of eloquence that startled and swept the House, and set the tone for all the country.

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His resolutions not only declared the right of the colonies to tax themselves to be exclusive, and established beyond recall; they also declared that Virginians were not bound to obey the Parliament when it acted thus against established privilege, and that any one who should advocate obedience was an enemy to the colony. The sober second thought of the burgesses cut that defiant conclusion out at last,—after Mr. Henry had gone home; but the resolutions had already been sent post-haste through the colonies in their first form, unrevised and unsoftened, and had touched the feeling of everyone who read them like a flame of fire. They were the first word of revolution; and no man ever thought just the same again after he had read them.

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It seemed a strange defiance, no doubt, to come from loyal Virginia. The Stamp Act was not, in fact, oppressive or unreasonable. Why should it so kindle the anger of the colonies that the sovereign Parliament, which had for many a day levied indirect charges upon them by means of the many acts concerning trade and manufactures, now laid a moderate direct tax upon them, the proceeds of which were to be spent upon their own Protection and administration? Because, though it might be the sovereign legislature of the empire, Parliament was not in their view the direct sovereign legislature of America. No one could truly say that Parliament had been the sovereign power even of England before 1688, that notable year in which it had, by a revolution, changed the succession to the throne and begun the making and unmaking of governments. The colonies had most of them been set up before that momentous year of change, while the Parliament was still only a body of representatives associated with the crown, with the right to criticise and restrain it, but with no right to usurp its prerogatives;entitled to be consulted, but not licensed to rule. The King, not the Parliament, had chartered the colonies; and they conceived their assemblies to be associated with him as Parliament itself had been in the older days before the Revolution of 1688: to vote him grants, assent to taxation, and with his consent make the laws they were to live under. He stood, they thought, in the same relation to all the legislatures of his realm: to the Parliament in England and to the assemblies in America. It was the fundamental principle of the English constitution, as all agreed, that the King's subjects should be associated with him in government by representation; and, since the Americans could not be represented in Parliament, and were, by his own authority, represented in local assemblies, he must deal with them, not through Parliament, but through those assemblies.

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The law of their view was not very sound or clear; but the common-sense of it was unassailable; and it rested upon unquestionable and long-standing practice, that best foundation of institutions. Their governments were no doubt, in law, subject to the government of Great Britain. Whoever ruled there had the legal right to rule in the colonies also, whether it were the King independent of Parliament, or the ministers dependent upon Parliament. The revolution of 1688 had radically altered the character of the whole structure, and perhaps the colonies could not, in strict constitutional theory, decline their logical part in the change. But no man in America had ever seen that revolution cross the seas. English statesmen might have changed their views, but the colonies had not changed theirs, nor the practice of their governments either. Their governments were from of old, and they meant to keep them intact and uncorrupted. They did not object to the amount or to the form of the tax; they objected only that they had not themselves imposed it. They dissented utterly from the opinion that Parliament had the right to tax them at all. It was that principle, and not the tax itself, which moved them so deeply.

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English statesmen claimed that the colonists were as much represented in Parliament as the thousands of Englishmen in England who did not have the right to vote for members of the Commons; and no doubt they were. The franchise was narrow in England, and not the whole population but only a few out of some classes of the people were actually represented in the Houses. Were not the interests represented there which America stood for? Perhaps so. But why govern the colonies through these remote and theoretical representatives when they had, and had always had, immediate and actual representatives of their own in their assemblies,—as ready and accessible an instrument of government as the House of Commons itself? The colonists were accustomed to actual representation, had for a century and more been dealt with by means of it, and were not willing now to reverse their history and become, instead of veritable states, merely detached and dependent pieces of England. This was the fire of principle which the Stamp Act kindled.

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And, once kindled, it burned with an increasing flame. Within ten years it had been blown to the full blaze of revolution. Mr. Grenville had not lost his power because he had set the colonies aflame by his hated Stamp Act, but merely because the King intensely disliked his tedious manners, and resented the dictatorial tone used by the ministers in all their dealings with himself. The Marquis of Rockingham and the group of moderate Whigs who stood with him in the new ministry of July, 1765, had repealed the stamp tax, not because they deemed it wrong in legal principle, but because it had bred resistance, had made the colonists resolve not to buy goods of English merchants, or even pay the debts of £4,000,000 sterling already incurred in their business with them,—because they deemed it wise to yield, and so quiet disorders over sea. Their power lasted only a single year. The King liked their liberal principles as little as he liked Grenville's offensive manners, and in August, 1766, dismissed them, to substitute a ministry under William Pitt, now made Earl of Chatham. Had Pitt retained his mastery, all might have gone well; but his health failed, his leadership became a mere form, real power fell to other men with no wide, perceiving vision like his own, and America was presently put once again in revolutionary mood.

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Pitt had said that the colonists were right when they resisted the Stamp Act: that Parliament could lawfully impose duties on commerce, and keep, if it would, an absolute monopoly of trade for the English merchants, because such matters were of the empire and not merely of America; but that the Americans were justified in resisting measures of internal taxation and government, their charters and accustomed liberties no doubt giving them in such matters constitutions of their own. Mr. Burke, whose genius made him the spokesman of the Rockingham Whigs, whether they would or no, had said very vehemently, and with that singular eloquence of his of which only his own words know the tone, that he cared not at all what legal rights might be involved; it was a question of government and of good-will between a king and his subjects; and he would not support any measure, upon whatever right it might be founded, which led to irritation and not to obedience. The new ministry of the Earl of Chatham acted upon its chief's principles, and not upon Mr. Burke's,—though they acted rashly because that consummate chief did not lead them. They proceeded (June, 1767), after the great earl's illness had laid him by, to put upon the statute book two acts for the regulation of colonial trade and the government of the colonies which Charles Townshend, their Chancellor of the Exchequer, had drawn. The first provided for the more effectual enforcement of the acts of trade already in existence; the second imposed duties on wine, oil, lead, glass, paper, painters' colors, and tea carried to the colonies, and explicitly legalized the use of the hated general search-warrants known as "writs of assistance." The revenues raised by these duties were to be applied, as the stamp tax would have been had it been collected, to the support of the courts of justice and of the civil establishments of the several colonies, and to the expenses connected with their military defence. Evasions of the revenue acts were to be tried by the admiralty courts without juries.

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To the colonists this seemed simply a return to the policy of the Stamp Act. The tax was different, but the object was the same: to make their judges and their governors independent of them, and to compel them to pay for the maintenance of troops not of their own raising. These same ministers had suspended the legislative power of the New York assembly because it refused to make proper provision for the quartering of the King's troops, as commanded by the act of 1665; and that assembly had felt itself obliged to yield and obey. Several companies of royal artillery had been sent to Boston in the autumn of 1766, and were quartered there at the colony's expense by order of the governor and council.

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The new taxes were laid upon trade, and they could not be attacked on the same grounds upon which the stamps had been objected to. But the trouble was that the new taxes, unlike the old restrictions, were to be enforced, evasion prevented. Mr. Townshend's first act was to send commissioners to America specially charged and empowered to see to that. The ruinous acts of 1764 were to be carried out, and the West India trade, by which Boston merchants and ship owners lived, put a stop to. These were bitter things to endure. Some grounds must be found from which to fight them,—if not the arguments used against, the Stamp Act, then others, if need be more radical. The ministers at home had set their far-away subjects to thinking with the eagerness and uneasiness of those who seek by some means to defend their liberties, and were fast making rebels of then,.

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Even in the midst of the universal rejoicings over the repeal of the Stamp Act the temper of several of the colonial assemblies had risen at reading the "Declaratory Act" which accompanied the repeal, and which asserted the absolute legal right of Parliament "to bind the colonies in all cases whatsoever." They had declared very flatly then that Parliament had no legal authority whatever in America except such as it might exercise by the consent of the colonial assemblies,—so far had their thought and their defiant purpose advanced within the year. There were conservative men in the colonies as well as radical, men who hated revolution and loved the just and sober ways of law; and there was as strong a sentiment of loyalty on one side the sea as on the other. But even conservative men dreaded to see Parliament undertake to break down the independence of America. Mr. Thomas Hutchinson, of Massachusetts, whose house the rioters in Boston had wantonly looted when they were mad against the Stamp Act, had been born and bred in the colony, and loved her welfare as honestly as any man; but he was lieutenant-governor, an officer of the crown, and would have deemed it dishonor not to uphold the authority he represented. Mr. Otis, on the other hand, had resigned his office as Advocate General under the crown to resist the writs of assistance. The public spirited gentlemen who had opposed Mr. Henry's fiery resolutions in the Virginian House of Burgesses did not fear usurpation or hate tyranny less than he; but they loved the slow processes of argument and protest and strictly legal opposition more than he did, and were patient enough to keep within bounds. They feared to shake an empire by pursuing a right too impetuously. Men of every temper and of every counsel made up the various people of the colonies, and there were men of equal patriotism on both sides of the rising quarrel.

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And yet the most moderate and slow-tempered grew uneasy at Mr. Townshend's measures. Mr. John Dickinson, of Pennsylvania, wrote and published a series of letters,—Letters of a Pennsylvania Farmer, he called them,—which stated as pointedly, as boldly, as earnestly as any man could wish, the constitutional rights of self-government which the colonists cherished and thought imperilled by the new acts of Parliament,—and yet Mr. Dickinson was as steady a loyalist as any man in America, as little likely to countenance rebellion, as well worth heeding by those who wished to compose matters by wise and moderate counsels. His firm-spoken protests were, in fact, read and pondered on both sides the water (1767), and no one could easily mistake their significance.

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The action of the people gave only too grave an emphasis to what their more self-restrained and thoughtful leaders said. Mr. Townshend's acts were as openly resisted as Mr. Grenville's had been; and every art of evasion, every trick of infringement, upon occasion even open and forcible violation, set at naught other restrictions of trade as well. It was startling to see how rapidly affairs approached a crisis. Resistance centred, as trade itself did, at Boston. When Mr. Townshend's commissioners of customs seized the sloop Liberty in Boston harbor for evasion of the duties, rioters drove them to the fort for shelter, and they sent hastily to England for more troops. The Massachusetts assembly, under the masterful leadership of Mr. Samuel Adams, protested that the measures of the new ministry were in violation of colonial rights, and protested in terms which, though dignified and respectful enough, were unmistakably imperative.

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The leadership of Samuel Adams was itself a sign of the times. He was a man of the people, passionate in his assertion of rights, and likely to stir and increase passion in those for whom he spoke. Subtle, a born politician; bold, a born leader of men, in assembly or in the street, he was the sort of man and orator whose ascendency may mean revolution almost when he chooses. The assembly, at his suggestion, went beyond the ordinary bounds of protest and sent a circular letter to the other colonies, as if to invite a comparison of views and a general acquiescence in the course of settled opposition it had itself adopted. When the ministers in London demanded a withdrawal of the letter, the assembly of course refused, and the other colonies were more than ever inclined to stand by the stout Bay Colony at whose capital port the fight centred. The ministers, in their desperate purpose to compel submission, declared their intention to remove to England for trial any one who should be charged with treason,—under an almost forgotten statute passed long before Jamestown was settled or English colonies dreamed of in America. That roused the Virginian House of Burgesses once more. They declared, with a sort of quiet passion, in their session of 1769, that no one but their own assemblies had a right to tax the colonies; that they had the inalienable right to petition the government at home upon any matter of grievance whatever, and to petition, if they pleased, jointly, as a body of colonies united in right and interest; and that any attempt to try a colonist for crime anywhere except in the courts of his own colony and by known course of law was "highly derogatory of the right of British subjects," and not for a moment to be deemed within the lawful power of the crown. There was no need this time for Mr. Henry. All men were now of the same opinion in Virginia, and the action was unanimous.

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The Virginian governor at once dissolved the Burgesses; but the members came together again almost immediately at a private house; and there Colonel Washington, whom all the English world had known since Braddock's day, proposed a general agreement to import no goods at all upon which a tax was laid,—to see what effect it would have if the English tradesmen and manufacturers who looked to America for a market were starved into a true appreciation of the situation and of the state of opinion among their customers. Many of the other colonies followed suit. Trade with England for a few months almost stood still, and there was quick distress and panic among those interested over sea. They promptly demanded of Parliament that the new taxes be taken off and trade allowed to live again. The ministers yielded (April, 1770),-except with regard to the tax on tea. That was the least of the taxes, and the King himself positively commanded that it be retained, to save the principle of the bill and show that Parliament had not reconsidered its right to tax. The taxes had yielded nothing: the single tax on tea would serve to assert a right without the rest.

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Meanwhile a very ominous thing had happened in Boston,—though the ministers had not yet heard of it when the bill passed to repeal the taxes. Upon an evening in March, 1770, a mob had attacked a squad of the King's redcoats in King Street, pelting them with sharp pieces of ice and whatever else they could lay their hands on, and daring them derisively to fire; and the troops had fired, being hard pressed and maddened. Five of the mob were killed and six wounded, and a thrill of indignation and horror went through the excited town. The next day a great meeting in Faneuil Hall sent a committee to Mr. Hutchinson, the governor, to demand the instant withdrawal of the troops. Samuel Adams headed the committee, imperious and on fire; told the governor, in the council chamber where they met, that he spoke in the name of three thousand freemen who counted upon being heeded; and won his point. The troops were withdrawn to all island in the bay. The town had hated their "lobster backs" for all the year and a half they had been there, and rejoiced and was quiet when they withdrew.

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But quiet could not last long. The flame was sure somewhere to burst out again whenever any incident for a moment stirred excitement. In North Carolina there was the next year a sudden blaze of open rebellion against the extravagant exactions of William Tryon, the adventurer who was royal governor there; and only blood extinguished it (1771). In Rhode Island, in June, 1772, his Majesty's armed schooner Gaspee was taken by assault and burned, upon a spit of land where she lay aground. It had been her business to watch against infringements of the navigation laws and the vexatious acts of trade; her commander had grown exceptionally insolent in his work; a sloop which he chased had led him on to the spit, where his schooner stuck fast; and the provincials took advantage of her helplessness to burn her. No one could be found who would inform on those who had done the bold thing; the courageous chief-justice of the little province flatly denied the right of the English authorities to order the perpetrators to England for trial; and the royal commission which was appointed to look into the whole affair stirred all the colonies once more to a deep irritation. The far-away House of Burgesses in Virginia very promptly spoke its mind again. It invited the several colonies to join Virginia in forming commitiees of correspondence, in order that all might be of one mind and ready for one action against the aggressions of the government in England. The ministers in London had meantime resolved to pay the provincial judges, at any rate in Massachusetts, out of the English treasury, taxes or no taxes; and the Massachusetts towns had formed committees of correspondence of their own, as Mr. Adams bade.

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Such were the signs of the times when the final test came of the tax on tea. The East India Company was in straits for money. It had to pay twelvepence into the royal treasury on every pound of tea it imported, whether it sold it in England or not; but the government there offered to relieve it of that tax on every pound it carried on to America, and exact only the threepence to be paid at the colonial ports under Mr. Townshend's act: so willing were the King's ministers to help the Company, and so anxious also to test the act and the submissiveness of the colonists. The test was soon made. The colonists had managed to smuggle in from Holland most of the tea they needed; and they wanted none, under the circumstances, from the East India ships,—even though it cost less, with the twelvepence tax off, than the smuggled tea obtained of the Dutch. The East India Company promptly sent tea-laden ships to Boston, New York, Philadelphia, and Charleston; and in the autumn of 1773 they began to come in. In Boston a quiet mob, disguised as Indians, threw the chests overboard into the harbor. At New York and Philadelphia the ships were permitted to leave port again without landing their cargoes. At Charleston the tea was landed, but it was stored, not sold, and a public meeting saw to its secure bestowal. The experiment had failed. America was evidently of one mind, and had determined not to buy tea or any thing else with a parliamentary tax on it. The colonists would no more submit to Mr. Townshend's tax than to Mr. Grenville's, whatever the legal difference between then, might be, either in principle or in operation. The issue was squarely made up: the colonies would not obey the Parliament,—would be governed only through their own assemblies. If the ministers persisted, there must be revolution.

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Here the leading general authorities are the histories of Bancroft, Hildreth, and Bryant; but to these we now add David Ramsay's History of the American Revolution ; the fourth volume of James Grahame's excellent History of the Rise and Progress of the United States of North America from their Colonization till the Declaration of independence; Thomas Hutchinson's History of Massachusetts, one of the most valuable of the contemporary authorities; John S. Barry's History of Massachusetts; John Fiske's American Revolution ; Mellen Chamberlain's The Revolution impending, in the sixth volume of Winsor's Narrative and Critical History of America; the twelfth chapter of IV. E. H. Lecky's History of England in the Eighteenth Century; Sir J. R. Seeley's Expansion of England; Richard Frothingham's Rise of the Republic of the United States; Mr. Edward Channing's United States of America, 1765-1865; Mr. Henry Cabot Lodge's Short History of the English Colonies in America ; Mr. Horace E. Scudder's Men and Manners in America One Hundred Years Ago ; Moses Coit Tyler's Life of Patrick Henry ; Mr. Horace Gray's important discussion of Otis's speech against the writs of assistance, in the Appendix to Quincy's Reports of Massachusetts Bay, 1761-1772; Moses Coit Tyler's Literary History of the American Revolution ; F. B. Dexter's Estimates of Populations in the Proceedings of the American Antiquarian Society; and the Lives of the leading American and English statesmen of the time, notably the invaluable series of brief biographies known as The American Statesmen Series.

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Abundant contemporary material may be found in the published letters, papers, and speeches of American and English public men of the time, especially in the pamphlets of such men as James Otis, Richard Bland, Stephen Hopkins, John Adams, Samuel Adams, John Dickinson, and their confreres; in Franklin's Auto biography; Andrew Burnaby's Travels through the Middle Settlements in North America, in the Years 7759 and 1760; Ann Maury's Memoirs of a Huguenot Family; and Hezekiah Niles's Principles and Acts of the Revolution in America.

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Lists of the authorities on the several colonies during these years may be found in Edward Channing and Albert Bushnell Hart's very convenient and careful little Guide to American History.

Chapter 3:

The Approach of Revolution

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THE ministers did persist, and there was revolution. Within less than a year from those memorable autumn days of 1773 when the East India Company's ships came into port with their cargoes of tea, the colonies had set up a Congress at Philadelphia which looked from the first as if it meant to do things for which there was no law; and which did, in fact, within less than two years after its first assembling, cut the bonds of allegiance which bound America to England. The colonists did not themselves speak or think of it as a body set up to govern them, or to determine their relations with the government at home, but only as a body organized for consultation and guidance, a general meeting of their committees of correspondence. But it was significant how rapidly, and upon how consistent and executive a plan, the arrangements for "correspondence" had developed, and how naturally, almost spontaneously, they had come to a head in this "Congress of Committees." There were men in the colonies who were as quick to act upon their instinct of leadership, and as apt and masterful at organization, as the English on the other side of the water who had checkmated Charles I.; and no doubt the thought of independent action, and even of aggressive resistance, came more readily to the minds of men of initiative in America, where all things were making and to be made, than in old England, where every rule of action seemed antique and venerable. Mr. Samuel Adams had been deliberately planning revolution in Massachusetts ever since 1768, the year the troops came to Boston to hold the town quiet while Mr. Townshend's acts strangled its trade; and he had gone the straight way to work to bring it about. He knew very well how to cloak his purpose and sedulously keep it hid from all whom it might shock or dismay or alienate. But the means he used were none the less efficacious because those who acted with him could not see how far they led.

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It was he who had stood at the front of the opposition of the Massachusetts assembly to the Stamp Act; he who had drafted the circular letter of Massachusetts to the other colonies in 1768 suggesting concert of action against the Townshend acts; he who had gone from the town meeting in Faneuil Hall to demand of Hutchinson the immediate removal of the troops, after the unhappy "massacre of March, 1770; he who had led the town meeting which took effectual measures to prevent the landing of the tea from the East India Company's ships. No man doubted that his hand had been in the plan to throw the tea into the harbor. It was he who, last of all, as the troubles thickened, had bound the other towns of Massachusetts to Boston in a common organization for making and propagating opinion by means of committees of correspondence. It was late in 1772 when he proposed to the town meeting in Boston that the other towns of the colony be invited to cooperate with it in establishing committees of correspondence, by means of which they could exchange views, and, if need were, concert action. The end of November had come before he could make Boston's initiative complete in the matter; and yet the few scant weeks that remained of the year were not gone before more than eighty towns had responded.

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It turned out that he had invented a tremendously powerful engine of propaganda for such opinions and suggestions of action as he chose to put upon the wind or set afloat in his private correspondence—as he had, no doubt, foreseen, with his keen appreciation of the most effectual means of agitation. Here was, in effect, a league of towns to watch and to control the course of affairs. There was nothing absolutely novel in the plan, except its formal completeness and its appearance of permanence, as if of a standing political arrangement made out of hand. In the year 1765, which was now seven years gone by, Richard Henry Lee had taken an active part among his neighbors in Virginia in forming the "Westmoreland Association," which drew many of the leading spirits of the great county of Westmoreland together in concerted resistance to the Stamp Act. Four years later (1769) the Burgesses of Virginia, cut short in their regular session as a legislature by a sudden dissolution proclaimed by their royal governor, met in Mr. Anthony Hay's house in Williamsburg and adopted the resolutions for a general non-importation association which George Mason had drawn up, and which George Washington, Mr. Mason's neighbor and confidant, read and moved. There followed the immediate organization of local associations throughout the little commonwealth to see to the keeping of the pledge there taken. Virginia had no town meetings; each colony took its measures of non-importation and resistance to parliamentary taxation after its own fashion; but wherever there were Englishmen accustomed to political action there was always this thought of free association and quick and organized cooperation in the air, which no one was surprised at any time to see acted upon and made an instrument of agitation.

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What made the Massachusetts committees of correspondence especially significant and especially telling in their effect upon affairs was that they were not used, like the "Westmoreland Association" or the non-importation associations of 1769, merely as a means of keeping neighbors steadfast in the observance of a simple resolution of passive resistance, but were employed to develop opinion and originate action from month to month,—dilatory, defensive, or aggressive, as occasion or a change of circumstances might demand. The non-importation associations had been powerful enough, as some men had reason to know. The determination not to import or use any of the things upon which Parliament had laid a tax to be taken of the colonies,—wine, oil, glass, paper, tea, or any of the rest of the list,—was not a thing all men had thought of or spontaneously agreed to. Certain leading gentle men, like Mr. Mason and Colonel Washington, deemed it a serviceable means of constitutional resistance to the mistaken course of the ministry, induced influential members of the House of Burgesses to indorse it, and formed associations to put it into effect,—to see to it that no one drank wine or tea which had been brought in under Mr. Townshend's taxes. There was here no command of law,—only a moral compulsion, the "pressure of opinion"; but it was no light matter to be censured and talked about by the leading people in your county as a person who defied the better sort of opinion and preferred wine and tea to the liberties of the colony. Associated opinion, spoken by influential men, proved a tremendous engine of quiet duress, and the unwilling found it prudent to conform. It was harder yet for the timid where active committees of correspondence looked into and suggested opinion. Men could give up their wine, or women their tea, and still keep what opinions they pleased; but committees of correspondence sought out opinion, provoked discussion, forced men to take sides or seem indifferent; more than all, saw to it that Mr. Samuel Adams's opinions were duly promulgated and established by argument.

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Men thought for themselves in Massachusetts, and Mr. Adams was too astute a leader to seem to force opinions upon them. He knew a better and more certain way. He drew Mr. Hutchinson, the governor, into controversy, and provoked him to unguarded heat in the expression of his views as to the paramount authority of Parliament and the bounden duty of the colonists to submit if they would not be accounted rebels. He let heat in the governor generate heat in those who loved the liberty of the colony; supplied patriots with arguments, phrases, resolutions of right and privilege; watchfully kept the fire alive; forced those who were strong openly to take sides and declare themselves, and those who were weak to think with their neighbors; infused agitation, disquiet, discontent, dissonance of opinion into the very air; and let everything that was being said or done run at once from town to town through the ever talkative committees of correspondence. He sincerely loved the liberty to which America had been bred; loved affairs, and wanted nothing for himself, except the ears of his neighbors; loved the air of strife and the day of debate, and the busy concert of endless agitation; was statesman and demagogue in one, and had now a cause which even slow and thoughtful men were constrained to deem just.

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The ministers supplied fuel enough and to spare to keep alive the fires he kindled; and presently the system of committees which he had devised for the towns of a single colony had been put into use to bring the several colonies themselves together. Opinion began to be made and moved and augmented upon a great scale. Spontaneous, no doubt, at first, at heart spontaneous always, it was elaborately, skilfully, persistently assisted, added to, made definite, vocal, universal,—now under the lead of men in one colony, again under the lead of those in another. Massachusetts, with her busy port and her noisy town meetings, drew the centre of the storm to herself; but the other colonies were not different in temper. Virginia, in particular, was as forward as Massachusetts. Virginia had got a new governor out of England early in 1772, John Murray, Earl of Dunmore, who let more than a year go by from his first brief meeting with the Burgesses before he summoned them again, because he liked their lack of submission as little as they liked his dark brow and masterful temper; but he suffered them to convene at last, in March, 1773, and they forthwith gave him a taste of their quality, as little to his palate as he could have expected.

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It was in June, 1772, while the Virginian burgesses waited for their tardy summons to Williamsburg that his Majesty's revenue cutter Gaspee was deliberately boarded and burned by the Rhode Islanders. The Burgesses had but just assembled in the autumn when the ominous news came that a royal comission had been sent over to look sharply into the matter, and see to the arrest and deportation of all chiefly concerned. Dabney Carr, Patrick Henry, Richard Henry Lee, and Thomas Jefferson, young men all, and radicals, members of the House, privately associated themselves for the concert of measures to be taken in the common cause of the colonies. Upon their initiative the Burgesses resolved, when the news from Rhode Island came, to appoint at once a permanent committee of correspondence; instruct it to inquire very particularly into the facts about this royal commission; and ask the other colonies to set up similar committees, for the exchange of information concerning public affairs and the maintenance of a common understanding and concert in action. By the end of the year Massachusetts, Rhode Island, Connecticut, New Hampshire, and South Carolina had adopted the suggestion and set their committees to work.

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Massachusetts, of course. This was Mr. Samuel Adams's new machinery of agitation upon a larger scale. Adams himself had long cherished the wish that there might be such a connection established between the colonies. In the autumn of 1770 he had induced the Massachusetts assembly to appoint a committee of correspondence, to communicate with Mr. Arthur Lee, of Virginia, the colony's agent in London, and with the Speakers of the several colonial assemblies; and though the committee had accomplished little or nothing, he had not been discouraged, but had written the next year to Mr. Lee expressing the wish that "societies" of "the most respectable inhabitants" might be formed in the colonies to maintain a correspondence with friends in England in the interest of colonial privilege. "This is a sudden thought," he said, "and drops undigested from my pen"; but it must have seemed a natural enough thought to Mr. Lee, whose own vast correspondence,—with America, with Englishmen at home, with acquaintances on the continent,—had itself, unaided, made many a friend for the colonies over sea at the same time that it kept the leading men of the colonies informed of the opinions and the dangers breeding in England. But Mr. Adams's town committees came first. It was left for the little group of self-constituted leaders in the Virginian assembly, of whom Richard Henry Lee, Mr. Arthur Lee's elder brother, was one, to take the step which actually drew the colonies into active cooperation when the time was ripe. It was, in part, through the systematic correspondence set afoot by the Virginian burgesses that something like a common understanding had been arrived at as to what should be done when the tea came in; and the lawless defiance of the colonists in that matter brought the ministers in England to such a temper that there were presently new and very exciting subjects of correspondence between the committees, and affairs ran fast towards a crisis.

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Teas to the value of no less than eighteen thousand pounds sterling had been thrown into the harbor at Boston on that memorable night of the 16th of December, 1773, when "Captain Mackintosh," the redoubtable leader of the South End toughs of the lively little town, was permitted for the nonce to lead his betters; but what aroused the ministers and put Parliament in a heat was not so much the loss incurred by the East India Company or the outcry of the merchants involved as the startling significance of the act, and the unpleasant evidence which every day came to hand that all the colonies alike were ready to resist. After the tea had been sent away, or stored safe against sale or present use, or thrown into the harbor, at Philadelphia, Charleston, New York, and Boston, as the leaders of the mobs or the meetings at each place preferred, there was an instant spread of Virginia's method of union. Six more colonies hastened to appoint committees of correspondence, and put themselves in direct communication with the men at Boston and at Williamsburg who were forming opinion and planning modes of redress. Only Pennsylvania held off. The tea had been shut out at Philadelphia, as elsewhere, but the leaders of the colony were not ready yet to follow so fast in the paths of agitation and resistance. Members of Parliament hardly noticed the exception. It was Boston they thought of and chiefly condemned as a hot-bed of lawlessness. Not every one, it is true, was ready to speak quite so plainly or so intemperately as Mr. Venn. "The town of Boston ought to be knocked about their ears and destroyed," he said. "You will never meet with proper obedience to the laws of this country until you have destroyed that nest of locusts." But, though few were so outspoken, no doubt many found such a view very much to their taste, excellently suited to their temper.

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At any rate, the ministers went a certain way towards acting upon it. In March, 1774, after communicating to the House the despatches from America, the leaders of the government, now under Lord North, proposed and carried very drastic measures. By one bill they closed the port of Boston, transferring its trade after the first of June to the older port of Salem. Since the headstrong town would not have the tea, it should have no trade at all. By another bill they suspended the charter of the colony. By a third they made provision for the quartering of troops within the province; and by a fourth they legalized the transfer to England of trials growing out of attempts to quell riots in the colony. News lingered on the seas in those days, waiting for the wind, and the critical news of what had been done in Parliament moved no faster than the rest. It was the 2d of June before the text of the new statutes was known in Boston. That same month, almost upon that very day, Thomas Hutchinson, the constant-minded governor whom Samuel Adams had tricked, hated, and beaten in the game of politics, left his perplexing post and took ship for England, never to return. Born and bred in Massachusetts, of the stock of the colony itself, he had nevertheless stood steadfastly to his duty as an officer of the crown, deeming Massachusetts best served by the law. He had suffered more than most men would have endured, but his sufferings had not blinded him with passion. He knew as well as any man the real state of affairs In the colony,—though he looked at them as governor, not as the people's advocate—and now went to England to make them clear to the ministers. "The prevalence of a spirit of opposition to government in the plantation," he had already written them, "is the natural consequence of the great growth of colonies so remote from the parent state, and not the effect of oppression in the King or his servants, as the promoters of this spirit would have the world to believe." It would be of good omen for the settlement of difficulties if he could make the ministers see that the spirit which so angered them was natural, and not born of mere rebellion.

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Mr. Hutchinson left General Gage governor in his stead,—at once governor and military commander. Gage was to face a season of infinite trouble, and, as men soon learned, did not know how to face it either with patience or with tact and judgment. The news of Boston's punishment and of the suspension of the Massachusetts charter, of the arrangements for troops, and of the legal establishment of methods of trial against which all had protested,—and, in the case of the Gaspee affair, successfully protested,—had an instant and most disturbing effect upon the other colonies, as well as upon those who were most directly affected. The ministers could not isolate Massachusetts. They were dealing with men more statesmanlike than themselves, who did not need to see their own liberties directly struck at to recognize danger, though it was not yet their danger. They had protested in the time of the Stamp Act, which affected them all; this time they protested even more emphatically against measures aimed at Massachusetts alone. What was more significant, they had now means at hand for taking action in common.

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Virginia, no doubt, seemed to the ministers in England far enough away from Massachusetts, but her Burgesses acted upon the first news of what Parliament was doing,—a month before the text of the obnoxious acts had reached Boston. In May, 1774, they ordered that June 1st, the day the Boston Port bill was to go into effect, be set apart as a day of fasting and prayer,—prayer that civil war might be averted and that the people of America might be united in a common cause. Dunmore promptly dissolved them for their pains; but they quietly assembled again in the long room of the Raleigh Tavern; issued a call thence to the other colonies for a general Congress; and directed that a convention, freely chosen by the voters of the colony as they themselves had been, should assemble there, in that same room of the Raleigh, on the first day of August following, to take final measures with regard to Virginia's part in the common action hoped for in the autumn. The next evening they gave a ball in honor of Lady Dunmore and her daughters, in all good temper, as they had previously arranged to do,—as if nothing had happened, and as if to show how little what they had done was with them a matter of personal feeling or private intrigue, how much a matter of dispassionate duty. They had not acted singularly or alone. Rhode Island, New York, and Massachusetts herself had also asked for a general "Congress of Committees." The Massachusetts assembly had locked its doors against the governor's messenger, sent to dissolve it, until it had completed its choice of a committee "to meet the committees appointed by the several colonies to consult together upon the present state of the colonies." It was chiefly because Massachusetts called that the other colonies responded, but the movement seemed general, almost spontaneous. Virginia and Massachusetts sent their real leaders, as the other colonies did; and September saw a notable gathering at Philadelphia,—a gathering from which conservatives as well as radicals hoped to see come forth some counsel of wisdom and accommodation.

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Every colony but Georgia sent delegates to the Congress. Not all who attended had been regularly elected by the colonial assemblies. The Virginian delegates had been elected by Virginia's August convention, a body unknown to the law; in some of the colonies there had been no timely sessions of the assemblies at which a choice could be made, and representatives had accordingly been appointed by their committees of correspondence, or elected directly by the voters at the town and county voting places. But no one doubted any group of delegates real representatives,—at any rate, of the predominant political party in their colony. In New York and Pennsylvania the conservatives had had the upper hand, and had chosen men who were expected to speak for measures of accommodation and for obedience to law. In the other colonies, if only for the nonce, the more radical party had prevailed, and had sent representatives who were counted on to speak unequivocally for the liberties of the colonies, even at the hazard of uttering words and urging action which might seem revolutionary and defiant.

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It was noteworthy and significant how careful a selection had been made of delegates. No doubt the most notable group was the group of Virginians: Colonel Washington; that "masterly man," Richard Henry Lee, as Mr. John Adams called him, as effective in Philadelphia as he had been in the House of Burgesses; Patrick Henry, whose speech was so singularly compounded of thought and fire; Edmund Pendleton, who had read nothing but law books and knew nothing but business, and yet showed such winning grace and convincing frankness withal in debate; Colonel Harrison, brusque country gentleman, without art or suterfuge, downright and emphatic; Mr. Bland, alert and formidable at sixty-four, with the steady insight of the lifelong student; and Mr. Peyton Randolph, their official leader and spokesman, whom the Congress chose its president, a man full of address, and seeming to carry privilege with him as a right inherited. Samuel Adams and John Adams had come from Massachusetts, with Mr. Cushing and Mr. Paine. South Carolina had sent two members of the Stamp Act Congress of 1765, Mr. Christopher Gadsden and Mr. John Rutledge, with Mr. Edward Rutledge also, a youth of twenty-five, and plain Mr. Lynch, clad in homespun, as direct and sensible and above ceremony as Colonel Harrison. Connecticut's chief spokesman was Roger Sherman, rough as a peasant without, but in counsel very like a statesman, and in all things a hard-headed man of affairs. New York was represented by Mr. John Jay, not yet thirty, but of the quick parts of the scholar and the principles of a man of honor. Joseph Galloway, the well-poised Speaker and leader of her House of Assembly, John Dickinson, the thoughtful author of the famous "Farmer's Letters" of 1768, a quiet master of statement, and Mr. Thomas Miffun, the well-to-do merchant, represented Pennsylvania. It was, take it all in all, an assembly of picked men, fit for critical business.

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Not that there was any talk of actual revolution in the air. The seven weeks' conference of the Congress disclosed a nice balance of parties, its members acting, for the most part, with admirable candor and individual independence. A good deal was said and conjectured about the "brace of Adamses" who led the Massachusetts delegation,—Samuel Adams, now past fifty-two, and settled long ago, with subtle art, to his lifelong business, and pleasure, of popular leadership, which no man understood better; and John Adams, his cousin, a younger man by thirteen years, at once less simple and easier to read, vain and transparent,—transparently honest, irregularly gifted. It was said they were for independence, and meant to take the leadership of the Congress into their own hands. But it turned out differently. If they were for independence, they shrewdly cloaked their purpose; if they were ambitious to lead, they were prudent enough to forego their wish and to yield leadership, at any rate on the floor of the Congress, to the interesting men who represented Virginia, and who seemed of their own spirit in the affair.

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There was a marked difference between what the Congress said aloud, for the hearing of the world, and what it did in order quietly to make its purpose of defeating the designs of the ministers effective. At the outset of its sessions it came near to yielding itself to the initiative and leadership of its more conservative members, headed by Joseph Galloway, the trusted leader of the Pennsylvanians, a stout loyalist, but for all that a sincere patriot and thorough-going advocate of the legal rights of the colonies. He proposed a memorial to the crown asking for a confederate government for the colonies, under a legislature of their own choosing, very like the government Mr. Franklin had made a plan for twenty years ago in the congress at Albany; and his suggestion failed of acceptance by only a very narrow margin when put to the vote. Even Edward Rutledge, of South Carolina, who spoke more hotly than most men for the liberties of the colonies, declared it an "almost perfect plan"; and the Congress, rejecting it, substituted no other. It turned, rather, to the writing of state papers, and a closer organization of the colonies for concert of action. Its committees drew up an address to the King, memorials to the people of Great Britain and to the people of British North America, their fellow-subjects, and a solemn declaration of rights, so earnest, so moderate in tone, reasoned and urged with so evident and so admirable a quiet passion of conviction, as to win the deep and outspoken admiration of their friends in Parliament and stir the pulses of liberal-minded men everywhere on both sides of the sea.

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So much was for the world. For themselves, they ordered a closer and more effective association throughout the colonies to carry out the policy of a rigorous non-importation and non-consumption of certain classes of British goods as a measure of trade against the English government's policy of colonial taxation. It recommended, in terms which rang very imperative, that in each colony a committee should be formed in every town or county, according to the colony's local administrative organization, which should be charged with seeing to it that every one within its area of oversight actually kept, and did not evade, the non-Importation agreement; that these committees should act under the direction of the central committee of correspondence in each colony; and that the several colonial committees of correspondence should in their turn report to and put into effect the suggestions of the general Congress of Committees at Philadelphia. For the Congress, upon breaking up at the conclusion of its business in October, resolved to meet again in May of the next year, should the government in England not before that time accede to its prayers for a radical change of policy. Its machinery of surveillance was meanwhile complete. No man could escape the eyes of the local committees. Disregard of the non-importation policy meant that his name would be published, and that he would be diligently talked about as one who was no patriot. The Congress ordered that any colony which declined to enter into the new association should be regarded as hostile to "the liberties of this country." Samuel Adams himself had not had a more complete system of surveillance or of inquisitorial pressure upon individual conduct and opinion at hand in his township committees of correspondence. In the colonies where sentiment ran warm no man could escape the subtle coercion.

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Such action was the more worthy of remark because taken very quietly, and as if the Congress had of course the right to lead, to speak for the majority and command the minority in the colonies, united and acting like a single body politic. There was no haste, no unusual excitement, no fearful looking for trouble in the proceedings of this new and quite unexampled assembly. On the contrary, its members had minds sufficiently at ease to enjoy throughout all their business the entertainments and the attractive social ways of the busy, well-appointed, cheerful; gracious town, the chief city of the colonies, in which there was so much to interest and engage. Dinings were as frequent almost as debates, calls as committee meetings. Evening after evening was beguiled with wine and tobacco and easy wit and chat. The delegates learned to know and understand each other as men do who are upon terms of intimacy; made happy and lasting friendships among the people of the hospitable place; drank in impressions which broadened and bettered their thinking, almost as if they had actually seen the several colonies with whose representatives they were dealing from day to day; and went home with a cleared and sobered and withal hopeful vision of affairs.

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It was well to have their views so steadied. Events moved fast, and with sinister portent. Massachusetts could not be still, and quickly forced affairs to an issue of actual revolution. Before the Congress met again her leaders had irrevocably committed themselves to an open breach with the government; the people of the province had shown themselves ready to support them with extraordinary boldness; and all who meant to stand with the distressed and stubborn little commonwealth found themselves likewise inevitably committed to extreme measures. The Massachusetts men not only deeply resented the suspension of their charter, they denied the legal right of Parliament to suspend it. On the 9th of September, 1774, four days after the assembling of the Congress at Philadelphia, delegates from Boston and the other towns in Suffolk County in Massachusetts had met in convention and flatly declared that the acts complained of, being unconstitutional, ought not to be obeyed; that the new judges appointed under the act of suspension ought not to be regarded or suffered to act; that the collectors of taxes ought to be advised to retain the moneys collected, rather than turn them into General Gage's treasury; and that, in view of the extraordinary crisis which seemed at hand, the people ought to be counselled to prepare for war,—not, indeed, with any purpose of provoking hostilities, but in order, if necessary, to resist aggression. They declared also for a provincial congress, to take the place of the legislative council of their suspended charter, and resolved to regard the action of the Congress at Philadelphia as law for the common action of the colonies.

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It gave these resolutions very grave significance that the Congress at Philadelphia unhesitatingly declared, upon their receipt, that the whole continent ought to support Massachusetts in her resistance to the unconstitutional changes in her government, and that any person who should accept office within the province under the new order of things ought to be considered a public enemy. Moreover, the Suffolk towns did not stand alone. Their temper, it seemed, was the temper of the whole colony. Other towns took action of the same kind; and before the Congress at Philadelphia had adjourned, Massachusetts had actually set up a virtually independent provincial congress. General Gage had summoned the regular assembly of the province to meet at Salem, the new capital under the parliamentary changes, on the 5th of October, but had withdrawn the summons as he saw signs of disaffection multiply and his authority dwindle to a mere shadow outside his military lines at Boston. The members of the assembly convened, nevertheless, and, finding no governor to meet them, resolved themselves into a provincial congress and appointed a committee of safety to act as the provisional executive of the colony. The old government was virtually dissolved, a revolutionary government substituted.

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The substitution involved every hazard of license and disorder. A people schooled and habituated to civil order and to the daily practice of self-government, as the people of Massachusetts had been, could not, indeed, suffer utter demoralization or lose wholly and of a sudden its sobriety and conscience In matters of public business. But it was a perilous thing that there was for a time no recognized law outside of the fortifications which General Gage had thrown across Boston Neck, to defend the town against possible attack from its own neighbors. Town meetings and irregular committees took the place of officers of government in every locality. The committees were often self-constituted, the meetings too often disorderly and irregularly summoned. Everything fell into the hands of those who acted first; and inasmuch as the more hot-headed and violent are always at such times the first to act, many sober men who would fain have counselled restraint and prudence and the maintenance so far as might be of the old order, were silenced or overridden. The gatherings at which concerted action was determined upon were too often like mere organized mobs. Men too often obtained ascendency for the time being who had no claim upon the confidence of their followers but such as came from audacity and violence of passion; and many things happened under their leadership which it was afterwards pleasant to forget. No man of consequence who would not openly and actively put himself upon the popular side was treated with so much as toleration. General Gage presently found Boston and all the narrow area within his lines filling up, accordingly, with a great body of refugees from the neighboring towns and country-sides.

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It gave those who led the agitation the greater confidence and the greater influence that the ministers of the churches were for the most part on their side. The control of Parliament had come, in the eyes of the New England clergy, to mean the control also of bishops and the supremacy of the Establishment. Now, as always before, since the very foundation of the colony, the independence of their little commonwealths seemed but another side of the independence of their churches; and none watched the course of government over sea more jealously than the Puritan pastors.

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Not only those who sided with the English power because of fear or interest-place-holders, sycophants, merchants who hoped to get their trade back through favor, weak men who knew not which side to take and thought the side of government in the long run the safer,—but many a man of dignity and substance also, and many a man of scrupulous principle who revered the ancient English power to which he had always been obedient with sincere and loyal affection, left his home and sought the protection of Gage's troops. The vigilance of the local committees effectually purged the population outside Boston, as the weeks went by, of those who were not ready to countenance a revolution. There was, besides, something very like military rule outside Boston as well as within it. The provincial congress met, while necessary, from month to month, upon its own adjournment, and, prominent among other matters of business, diligently devoted itself to the enrolment and organization of a numerous and efficient militia. Local as well as general commanders were chosen; there was constant drilling on village greens; fire-arms and ammunition were not difficult to get; and an active militia constituted a very effective auxiliary in the consolidation of local opinion concerning colonial rights and the proper means of vindicating them.

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It is the familiar story of revolution: the active and efficient concert of a comparatively small number controlling the action of whole communities at a moment of doubt and crisis. There was not much difference of opinion among thoughtful men in the colonies with regard to the policy which the ministers in England had recently pursued respecting America. It was agreed on all hands that it was unprecedented, unwise, and in plain derogation of what the colonists had time out of mind been permitted to regard as their unquestioned privileges in matters of local self-government. Some men engaged in trade at the colonial ports had, it is true, found the new policy of taxation and enforced restrictions very much to their own interest. The Sugar Act of 1733, which cut at the heart of the New England trade with the French West Indies, and which Grenville and Townshend had, in these last disturbing years, tried to enforce, had, it was said, been passed in the first instance at the suggestion of a Boston merchant who was interested in sugar growing in the British islands whence the act virtually bade the colonial importers take all their sugar, molasses, and rum; and no doubt there were many in all the American ports who would have profited handsomely by the enforcement of the law. But, however numerous these may have been, they were at most but a small minority. For a vast majority of the merchants the enforcement of the acts meant financial ruin. Merchants as well as farmers, too, were hotly against taxes put upon them in their own ports by an act of Parliament. They were infinitely jealous of any invasion of their accustomed rights of self-government under their revered and ancient charter. Governor Hutchinson him self, though he deemed the commands of Parliament law, and thought it his own bounden duty as an officer of the crown to execute them declared in the frankest fashion to the ministers themselves that their policy was unjust and mistaken.

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But, while men's sentiments concurred in a sense of wrong, their judgments parted company at the choice of what should be done. Men of a conservative and sober way of thinking; men of large fortune or business, who knew what they had at stake should disorders arise or law be set aside; men who believed that there were pacific ways of bringing the government to another temper and method in dealing with the colonies, and who passionately preferred the ways of peace to ways of violence and threatened revolution, arrayed themselves instinctively and at once against every plan that meant lawlessness and rebellion. They mustered very strong indeed, both in numbers and in influence. They bore, many of them, the oldest and most honored names of the colony in Massachusetts, where the storm first broke, and were men of substance and training and schooled integrity of life, besides. Their counsels of prudence were ignored, nevertheless,—as was inevitable. Opinion formed itself with quick and heated impulse in the brief space of those first critical months of irritation and excitement; and these men, though the natural leaders of the colony, were despised, rejected, proscribed, as men craven and lacking the essential spirit either of liberty or of patriotism.

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It was, no doubt, a time when it was necessary that something should be done—as well as something said. It was intolerable to the spirit of most of the people, when once they were roused, to sit still under a suspension of their charter, a closing of their chief port, the appointment of judges and governors restrained by none of the accustomed rules of public authority among them, and tamely utter written protests only, carrying obedience to what seemed to them the length of sheer servility. It happened that there had gone along with the hateful and extraordinary parliamentary measures of 1774 an act extending the boundaries of the province of Quebec to the Ohio River and establishing an arbitrary form of government within the extended province. It was a measure long ago planned. Its passage at that time had nothing to do with the ministers' quarrel with the self-governing colonies to the southward. But it was instantly interpreted in America as an attempt to limit the westward expansion of the more unmanageable colonies which, like Massachusetts, arrogated the right to govern themselves; and it of course added its quota of exasperation to the irritations of the moment. It seemed worse than idle to treat ministers who sent such a body of revolutionary statutes over sea as reasonable constitutional rulers who could be brought to a more lawful and moderate course by pamphlets and despatches and public meetings, and all the rest of the slow machinery of ordinary agitation. Of course, too, Samuel Adams and those who acted with him very carefully saw to it that agitation should not lose its zest or decline to the humdrum levels of ordinary excitement. They kept their alarm bells pealing night and day, and were vigilant that feeling should not subside or fall tame. And they worked upon genuine matter. They knew the temper of average men in the colony much better than their conservative opponents did, and touched it with a much truer instinct in their appeals. Their utterances went to the quick with most plain men,—and they spoke to a community of plain men. They spoke to conviction as well as to sentiment, and the minds they touched were thoroughly awakened. Their doctrine of liberty was the ancient tradition of the colony. The principles they urged had been urged again and again by every champion of the chartered liberties of the colonies, and seemed native to the very air.

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If not constitutional statesmen, they were at least the veritable spokesmen of all men of action, and of the real rank and file of the colonists about them,—as Patrick Henry was in Virginia. John Adams had read to Henry, while the first Congress was sitting in Philadelphia, Joseph Hawley's opinion that what the ministers had done made it necessary to fight. "I am of that man's opinion," cried the high-spirited Virginian. That was what men said everywhere, unless imperatively held back from action by temperament, or interest, or an unusual, indomitable conviction of law-abiding duty, upon whatever exigency or provocation. It is not certain that there could be counted in Massachusetts so much as a majority for resistance in those first days of the struggle for right; but it is certain that those who favored extreme measures had the more effective spirit of initiative among them, the best concert of action, the more definite purpose, the surest instinct of leadership, and stood with true interpretative insight for the latent conviction of right which underlay and supported every colonial charter in America.

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And not only every colonial charter, but the constitution of England itself. The question now raised, to be once for all settled, was, in reality, the question of constitutional as against personal government; and that question had of late forced itself upon men's thoughts in England no less than in America. It was the burden of every quiet as well as of every impassioned page in Burke's Thoughts on the Present Discontents, published in 1770. The Parliament of 1774 did not represent England any more than it represented the colonies in America, either in purpose or principle. So ill-distributed was the suffrage and the right of representation that great centres of population had scarcely a spokesman in the Commons, while little hamlets, once populous but now deserted, still returned members who assumed to speak for the country. So many voters were directly under the influence of members of the House of Lords, as tenants and dependants; so many members of the House of Lords were willing to put themselves and the seats which they controlled in the Commons at the service of the King, in return for honors and favors received or hoped for; so many elections to the Lower House were corruptly controlled by the court,—so full was Parliament, in short, of place men and of men who counted upon the crown's benefactions, that the nation seemed excluded from its own councils, and the King acted as its master without serious let or hinderance.

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The Whig party, which stood for constitutional privilege, was utterly disorganized. Some Whigs had followed Chatham to the end, despite his uncertain temper, his failing health, his perverse treatment of his friends; some had followed, rather, the Marquis of Rockingham, whose brief tenure of power, in 1766, had been but long enough to effect the repeal of the odious Stamp Act; but nothing could hold the divergent personal elements of the party together, and there was no place for a party of principle and independence in an unrepresentative Parliament packed with the "King's friends." Ministries rose or fell according to the King's pleasure, and were Whig or Tory as he directed, without change of majority in the Commons. "Not only did he direct the minister" whom the House nominally obeyed "in all matters of foreign and domestic policy, but he instructed him as to the management of debates in Parliament, suggested what motions should be made or opposed, and how measures should be carried." The Houses were his to command; and when Chatham was gone, no man could withstand him. Persons not of the ministry at all, but the private and irresponsible advisers of the King, became the real rulers of the country. The Duke of Grafton, who became the nominal head of the government in 1768, was not his own master in what he did or proposed; and Lord North, who succeeded him in 1770, was little more than the King's mouthpiece.

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Thoughtful men in England saw what all this meant, and deemed the liberties of England as much jeoparded as the liberties of America. And the very men who saw to the heart of the ominous situation in England were, significantly enough, the men who spoke most fearlessly and passionately in Parliament in defence of America,—statesmen like Chatham and Burke, frank soldiers like Colonel Barre, political free lances like the reckless John Wilkes, and all the growing company of agitators in London and elsewhere whom the government busied itself to crush. It was the group gathered about Wilkes in London who formed, under Horne Tooke's leadership, the famous "Society for supporting the Bill of Rights," with which Samuel Adams proposed, in his letter to Arthur Lee in 1771, that similar societies, to be formed in the several colonies in America, should put themselves in active cooperation by correspondence. Those who attacked the prerogative in England were as roundly denounced as traitors as those who resisted Parliament in America. Wilkes was expelled from the House of Commons; the choice of the Westminster electors who had chosen him was arbitrarily set aside and annulled; those who protested with too much hardihood were thrown into prison or fined. But each arbitrary step taken seemed only to increase the rising sense of uneasiness in the country. The London mob was raised; rioting spread through the country, till there seemed to be chronic disorder; writers like "Junius" sprang up to tease the government with stinging letters which no one could successfully answer, because no one could match their wit or point; an independent press came almost suddenly into existence; and because there was no opinion expressed in the House of Commons worthy of being called the opinion of the nation, public opinion formed and asserted itself outside the Houses, and began to clamor uncomfortably for radical constitutional reforms. Mr. Wilkes was expelled the House in 1769, just as the trouble in America was thickening towards storm; and long before that trouble was over it had become plain to every man of enlightened principle that agitation in England and resistance in America had one and the same object, the rectification of the whole spirit and method of the English government.

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George III. had too small a mind to rule an empire, and the fifteen years of his personal supremacy in affairs (1768-1783) were years which bred a revolution in England no less inevitably than in America. His stubborn instinct of mastery made him dub the colonists "rebels" upon their first show of resistance; he deemed the repeal of the Stamp Act a fatal step of weak compliance, which had only "increased the pretensions of the Americans to absolute independence." Chatham he called a "trumpet of sedition" because he praised the colonists for their spirited assertion of their rights. The nature of the man was not sinister. Neither he nor his ministers had any purpose of making "slaves" of the colonists. Their measures for the regulation of the colonial trade were incontestably conceived upon a model long ago made familiar in practice, and followed precedents long ago accepted in the colonies. Their financial measures were moderate and sensible enough in themselves, and were conceived in the ordinary temper of law-making. What they did not understand or allow for was American opinion. What the Americans, on their part, did not understand or allow for was the spirit in which Parliament had in fact acted. They did not dream with how little comment or reckoning upon consequences, or how absolutely without any conscious theory as to power or authority, such statutes as those which had angered them had been passed; how members of the Commons stared at Mr. Burke's passionate protests and high-pitched arguments of constitutional privilege; how unaffectedly astonished they were at the rebellious outbreak which followed in the colonies. And, because they were surprised and had intended no tyranny, but simply the proper government of trade and the adequate support of administration throughout the dominions of the crown, as the ministers had represented these things to them, members of course thought the disturbances at Boston a tempest in a teapot, the reiterated protests of the colonial assemblies a pretty piece of much ado about nothing. The radical trouble was that the Parliament really represented nobody but the King and his "friends," and was both ignorant and unreflective upon the larger matters it dealt with.

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It was the more certain that the promises of accommodation and peaceful constitutional reform which the supporters of the government in America so freely and earnestly made would be falsified, and that exasperation would follow exasperation. The loyal partisans of the crown in the colonies understood as little as did the radical patriotic party the real attitude and disposition of the King and his ministers. The men with whom they were dealing over sea had not conceived and could not conceive the American point of view with regard to the matters in dispute. They did not know whereof Mr. Burke spoke when he told them that the colonial assemblies had been suffered to grow into a virtual independence of Parliament, and had become in fact, whatever lawyers might say, coordinated with it in every matter which concerned the internal administration of the colonies; and that it was now too late to ask or expect the colonists to accept any other view of the law than that which accorded with long-established fact. Mr. Burke admitted that his theory was not a theory for the strict lawyer: it was a theory for statesmen, for whom fact must often take precedence of law. But the men he addressed were strict legists and not statesmen. There could be no understanding between the two sides of the water; and the loyalists who counselled submission, if only for a time, to the authority of the ministers, were certain to be rejected among their own people. The spirit of American affairs was with the patriots, and would be with them more and more as the quarrel thickened.

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It thickened fast enough, and the storm broke before men were aware how near it was. While winter held (1774-1775), affairs everywhere grew dark and uneasy, not only in Massachusetts, where Gage's troops waited at Boston, but in every colony from Maine to the Gulf. Before the end of 1774 the Earl of Dunmore reported to the government, from Virginia, that every county was "arming a company of men for the avowed purpose of protecting their committees," and that his own power of control was gone. "There is not a justice of peace in Virginia," he declared, "that acts except as a committee-man"; and it gave him the graver concern to see the turn affairs were taking because "men of fortune and preeminence joined equally with the lowest and meanest" in the measures resorted to to rob him of authority.

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To the south and north of Virginia, counsels were divided. Those who led against the government in North Carolina had good reason to doubt whether they had even a bare majority of the people of their colony at their back. Every country-side in South Carolina, for all Charleston was as hot as Boston against the ministers, was full of warm, aggressive, out-spoken supporters of the King's prerogative. The rural districts of Pennsylvania, every one knew, were peopled with quiet Quakers whose very religion bade them offer no resistance even to oppressive power and of phlegmatic Germans who cared a vast deal for peace but very little for noisy principles that brought mischief. Many a wealthy and fashionable family of Philadelphia, moreover, was much too comfortable and much too pleasantly connected with influential people on the other side of the water to relish thoughts of breach or rebellion. Virginians, it might have seemed, were themselves remote enough from the trouble which had arisen in Massachusetts to keep them in the cool air of those who wait and will not lead. But they were more in accord than the men of Massachusetts itself, and as quick to act. By the close of June, 1775, Charles Lee could write from Williamsburg, "Never was such vigor and concord heard of, not a single traitor, scarcely a silent dissentient." As the men of the several counties armed themselves, as if by a common impulse, all turned as of course to Colonel Washington, of Fairfax, as their natural commander; and no one in Virginia was surprised to learn his response. "It is my full intention," he said, "to devote my life and fortune to the cause we are engaged in." On the 20th of March, 1775, the second revolutionary convention of Virginia met at Richmond, not at Williamsburg; and in it Mr. Henry made his individual declaration of war against Great Britain. Older and more prudent men protested against his words; but they served on the committee on the military organization of the colony for which his resolutions called, and Virginia was made ready.

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Here our general authorities are still Bancroft, Hildreth, and Bryant; David Ramsay's History of the American Revolution; the last volume of James Grahame's Rise and Progress of the United States of North America; John Fiske's American Revolution; Thomas Hutchinson's History of Massachusetts; John S. Barry's History of Massachusetts; Richard Frothingham's Rise of the' Republic of the United States; Justin Winsor's The Conflict Precipitated, in the sixth volume of Winsor's Narrative and Critical History of America; and the twelfth chapter of W. E. H. Lecky's History of England in the Eighteenth Century. To these we now add Frank Moore's Diary of the American Revolution; George Chalmers's Introduction to the History of the Revolt; Timothy Pitkin's Political and Civil History of the United States; and the fourth volume of John Richard Green's History of the English People. Here, also, the biographies of the chief public men of the period must be the reader's constant resource for a closer view of affairs, particularly the Lives of such men as John and Samuel Adams, John Dickinson, Franklin, Hamilton, Patrick Henry, John Jay, Jefferson, the Lees, George Mason, James Otis, Timothy Pickering, and Washington.

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The chief sources that should be mentioned are the Debates of Parliament; the Annual Register; the Proceedings and Collections of the Historical Societies of the original States; Peter Force's American Archives; Jared Sparks's Correspondence of the Revolution; Hezekiah Niles's Principles and Acts of the Revolution in America; Copy of Letters sent to Great Britain by Thomas Hutchinson, reprinted in Franklin Before the Privy Council; P. O. Hutchinson's Life and Letters of Thomas Hutchinson; and the published speeches, letters, and papers of the leading American and English statesmen of the time.

Chapter 4:

The War of Independence

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THEN, almost immediately, came the clash of arms. General Gage would not sit still and see the country round about him made ready for armed resistance without at least an effort to keep control of it. On the 19th of April he despatched eight hundred men to seize the military stores which the provincials had gathered at Concord, and there followed an instant rising of the country. Riders had sped through the country-side during the long night which preceded the movement of the troops, to give warning; and before the troops could finish their errand armed men beset them at almost every turn of the road, swarming by companies out of every hamlet and firing upon them from hedge and fence corner and village street as if they were outlaws running the gauntlet. The untrained villagers could not stand against them in the open road or upon the village greens, where at first they mustered, but they could make every way-side covert a sort of ambush, every narrow bridge a trap in which to catch them at a disadvantage. Their return to Boston quickened to a veritable rout, and they left close upon three hundred of their comrades, dead, wounded, or prisoners, behind them ere they reached the cover of their lines again. The news of their march and of the attack upon them had spread everywhere, and in every quarter the roads filled with the provincial minute men marching upon Boston. Those who had fired upon the troops and driven them within their lines did not go home again; those who came too late for the fighting stayed to see that there were no more sallies from the town; and the morning of the 20th disclosed a small army set down by the town in a sort of siege.

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That same night of the 20th Lord Dunmore, in Virginia, landed a force of marines from an armed sloop in the river and seized the gunpowder stored at Williamsburg. There, too, the country rose,—under Mr. Henry himself as captain. They did not reach the scene soon enough to meet the marines,—there were no thick-set villages in that country-side to pour their armed men into the roads at a moment's summons,—but they forced the earl, their governor, to pay for the powder he had ordered seized and taken off.

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The rude muster at Boston expanded into a motley yeoman army of sixteen thousand men within the first week of its sudden rally, and settled in its place to watch the town until the general Congress of the colonies at Philadelphia should give it countenance, and a commander. On the day the Congress met (May 10, 1775), Ethan Allen walked into the unguarded gates of the fort at Ticonderoga, at the head of a little force out of Vermont, and took possession of the stout place "in the name of the Great Jehovah and the Continental Congress," though he held a commission from neither; and two days later Crown Point, near by, was taken possession of in the same manner. When the Congress met it found itself no longer a mere "Congress of Committees,' assembled for conference and protest. Its appeals for better government, uttered the last autumn, its arguments for colonial privilege, its protestations of loyalty and its prayers for redress, had been, one and all, not so much rejected as put by with contempt by the King and his ministers; and the mere movement of affairs was hurrying the colonies which it represented into measures which would presently put the whole matter of its controversy with the government at home beyond the stage of debate. Its uneasy members did not neglect to state their rights again, in papers whose moderation and temper of peace no candid man could overlook or deny; but they prepared for action also quite as carefully, like practical men who did not deceive themselves even in the midst of hope.

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Colonel Washington had come to the Congress in his provincial uniform; and, if no one cared to ask a man with whom it was so obviously difficult to be familiar why he wore such a habit there, all were free to draw their own conclusions. It was, no doubt, his instinctive expression of personal feeling in the midst of all that was happening; and his service in the Congress was from first to last that of a soldier. Its committees consulted him almost every day upon some question of military preparation: the protection of the frontier against the Indians, the organization of a continental force, the management of a commissariat, the gathering of munitions, proper means of equipment, feasible plans of fortification. While they deliberated, his own colony passed openly into rebellion. The 1st of June saw Virginia's last House of Burgesses assemble. By the 8th of the month Dunmore had fled his capital, rather than see a second time the anger of a Williamsburg mob, and was a fugitive upon one of his Majesty's armed vessels lying in the river. The colony had thenceforth no government save such as it gave itself; and its delegates at Philadelphia knew that there was for them no turning back.

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On the 15th of June, on the motion of Mr. John Adams, the Congress chose Colonel Washington commander-in-chief of the American forces, and directed him to repair to Boston and assume command in the field. Two days later the British and the provincials met in a bloody and stubborn fight at Bunker Hill. On the 25th of May heavy reinforcements for General Gage had arrived from over sea which swelled the force of regulars in Boston to more than eight thousand men, and added three experienced general officers to Gage's council: William Howe, Sir Henry Clinton, and John Burgoyne. The British commanders saw very well, what was indeed apparent enough to any soldier, that their position in Boston could be very effectively commanded to the north and south on either hand by cannon placed upon the heights of Charlestown or Dorchester, and determined to occupy Charlestown heights at once, the nearer and more threatening position. But so leisurely did they go about it that the provincials were beforehand in the project. The early morning light of the 17th of June disclosed them still at work there on trenches and redoubts which they had begun at midnight. The British did not stop to use either the guns of the fleet or any caution of indirect approach to dislodge them, but at once put three thousand men straight across the water to take the hill, whose crest the Americans were fortifying, by direct assault. It cost them a thousand men; and the colonials retired, outnumbered though they were, only because their powder gave out, not their pluck or steadfastness. When the thing was done, the British did not care to take another intrenched position from men who held their fire till they were within a few score yards of them and then volleyed with the definite and deadly aim of marksmen.

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Colonel Washington received his formal commission on the 19th, and was on horseback for the journey northward by the 21st. On the 3d of July he assumed command at Cambridge. In choosing Washington for the command of the raw levies of Massachusetts, Connecticut, Rhode Island, and New Hampshire set down in impromptu siege before Boston, Mr. John Adams and the other New Englanders who acted with him had meant, not only to secure the services of the most experienced soldier in America, but also, by taking a man out of the South, to give obvious proof of the union and cooperation of the colonies. They had chosen better than they knew. It was no small matter to have so noticeable a man of honor and breeding at the head of an army whose enemies deemed it a mere peasant mob and rowdy assemblage of rebels. Washington himself, with his notions of authority, his pride of breeding, his schooling in conduct and privilege, was far from pleased, till he began to see below the surface, with the disorderly array he found of uncouth, intractable plough boys and farmers, one esteeming himself as good as another, with free-and-easy manners and a singular, half indifferent insolence against authority or discipline.

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"There are some fine fellows come from Virginia," Joseph Reed, of Pennsylvania, had written of the Virginian delegates to the Congress at Philadelphia; "but they are very high. We understand they are the capital men of the colony." It was good that one of the masterful group should ride all the public way from Philadelphia to Boston to take command of the army, the most conspicuous figure in the colonies, showing every one of the thousands who crowded to greet or see him as he passed how splendid a type of self-respecting gentlemen was now to be seen at the front of affairs, putting himself forward soberly and upon principle. The leaders of the revolt in Massachusetts were by no means all new men like John Adams or habitual agitators like Samuel Adams; many a man of substance and of old lineage had also identified himself with the popular cause. But new, unseasoned men were very numerous and very prominent there among those who had turned affairs upside down; a very great number of the best and oldest families of the colony had promptly ranged themselves on the side of the government; the revolution now at last on foot in that quarter could too easily be made to look like an affair of popular clamor, a mere rising of the country. It was of signal advantage' to have high personal reputation and a strong flavor, as it were, of aristocratic distinction given it by this fortunate choice the Congress had made of a commander. It was no light matter to despise a cause which such men openly espoused and stood ready to fight for.

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The British lay still till Washington came, and gave him the rest of the year, and all the winter till spring returned, in which to get his rude army into fighting shape,—why, no one could tell, not even their friends and spokesmen in Parliament. The Americans swarmed busy on every hand. It proved infinitely difficult for them to get supplies, particularly arms and ammunition; but slowly, very slowly, they came in. General Washington was but forty-three, and had an energy which was both imperative and infectious. His urgent, explicit, businesslike letters found their way to every man of influence and to every colonial committee or assembly from whom aid could come. Cannon were dragged all the way from Ticonderoga for his use. The hardy, danger-loving seamen of the coasts about him took very cheerfully to privateering; intercepted supply ships and even transports bound for Boston; brought English merchantmen into port as prizes; cut ships out from under the very guns of a British man-of-war here and there in quiet harbors. Food and munitions intended for the British regiments at Boston frequently found their way to General Washington's camps instead, notwithstanding Boston harbor was often full of armed vessels which might have swept the coasts. The commanders in Boston felt beset, isolated, and uneasy, and hesitated painfully what to do.

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The country at large was open to the insurgent forces, to move in as they pleased. In the autumn Colonel Montgomery, the gallant young Irish soldier who had served under Wolfe at Quebec, led a continental force northward through the wilderness; took the forts which guarded the northern approaches to Lake Champlain; and occupied Montreal, intercepting and taking the little garrison which left the place in boats to make its way down the river. Meanwhile Colonel Benedict Arnold was at the gates of Quebec, and Montgomery pushed forward to join him. Colonel Arnold had forced his way in from the coast through the thick forests of Maine, along the icy streams of the Kennebec and the Chaudiere. The bitter journey had cost him quite a third of the little force with which Washington had sent him forth. He had but seven hundred men with whom to take the all but impregnable place, and Montgomery brought but a scant five hundred to assist him. But the two young commanders were not to be daunted. They loved daring, and touched all who followed them with their own indomitable spirit. In the black darkness of the night which preceded the last day of the year (December 31, 1775), amidst a blinding storm of snow, they threw themselves upon the defences of the place, and would have taken it had not Montgomery lost his life ere his men gained their final foothold within the walls. The Congress at Philadelphia had at least the satisfaction of receiving the colors of the Seventh Regiment of his Majesty's regulars, taken at Fort Chambly, as a visible token of Montgomery's exploits at the northern outlet of Champlain; and every added operation of the Americans, successful or unsuccessful, added to the feeling of isolation and uneasiness among the British at Boston.

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October 10, 1775, Sir William Howe superseded General Gage as commander-in-chief in the closely watched and invested town; but the change of commanders made little difference. Every one except the sailors, the foragers, the commissaries, the drill sergeants, the writing clerks, the colonial assemblies, the congressional and local committees, lay inactive till March came, 1776, and Washington was himself ready to take the offensive. At last he had such cannon and such tools and stores and wagons and teams as he had been asking and planning and waiting for the weary, anxious winter through. On the morning of the 5th of March the British saw workmen and ordnance and every sign of a strong force of provincials on Dorchester heights, and were as surprised as they had been, close upon a year before, to see men and trenches on Bunker Hill. Washington had done work in the night which it was already too late for them to undo; a storm beat the waters of the bay as the day wore on and made it impossible to put troops across to the attack in boats; Washington had all the day and another night in which to complete his defences; and by the morning of the 6th the British knew that the heights could not be taken without a risk and loss they could not afford. The town was rendered untenable at a stroke. With deep chagrin, Howe determined upon an immediate evacuation; and by the 17th he was aboard his ships,—eight thousand troops and more than a thousand loyalists who dared not stay. The stores and cannon, the ammunition, muskets, small-arms, gun carriages, and supplies of every kind which he found himself obliged to leave behind enriched Washington with an equipment more abundant than he could ever have hoped to see in his economical, ill-appointed camp at Cambridge.

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The only British army in America had withdrawn to Halifax: his Majesty's troops had nowhere a foothold in the colonies. But that, every one knew, was only the first act in a struggle which must grow vastly greater and more tragical before it was ended. Washington knew very well that there was now no drawing back. Not since the affair at Bunker Hill had he deemed it possible to draw back; and now this initial success in arms had made the friends of revolution very bold everywhere. As spring warmed into summer it was easy to mark the growth in the spirit of independence. One of the first measures of the Continental Congress, after coming together for its third annual session in May, 1776, was to urge the several colonies to provide themselves with regular and permanent governments as independent states, instead of continuing to make shift with committees of safety for executives and provisional "provincial congresses" for legislatures, as they had done since their government under the crown had fallen to pieces; and they most of them promptly showed a disposition to take its advice. The resolution in which the Congress embodied this significant counsel plainly declared "that the exercise of every kind of authority under the crown ought to be totally suppressed," and all the powers of government exercised under authority from the people of the colonies,—words themselves equivalent to a declaration for entire separation from Great Britain. Even in the colonies where loyalists mustered strongest the government of the crown had in fact almost everywhere been openly thrown off. But by midsummer it was deemed best to make a formal Declaration of Independence. North Carolina was the first to instruct her delegates to take that final and irretrievable step; but most of the other colonies were ready to follow her lead; and on July 4th Congress adopted the impressive Declaration which Mr. Jefferson had drawn up in the name of its committee.

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Washington himself had urgently prayed that such a step be taken, and taken at once. It would not change, it would only acknowledge, existing facts; and it might a little simplify the anxious business he was about. He had an army which was always making and to be made, because the struggle had been calculated upon a short scale and the colonies which were contributing their half-drilled contingents to it were enlisting their men for only three months at a time. Sometimes the men would consent to re-enlist, sometimes they would not. They did as they pleased, of course, and would time and again take themselves off by whole companies at once when their three months' term was up. Sir William Howe would come back, of course, with a force increased, perhaps irresistible: would come, Washington foresaw, not to Boston, where he could be cooped up and kept at bay, but to New York, to get control of the broad gateway of the Hudson, whose long valley had its head close to the waters of Lake George and Lake Champlain, and constituted an infinitely important strategic line drawn straight through the heart of the country, between New England, which was no doubt hopelessly rebellious, and the middle colonies, in which the crown could count its friends by the thousand. The Americans must meet him, apparently, with levies as raw and as hastily equipped as those out of which an army of siege had been improvised at Boston, each constituent part of which would fall to pieces and have to be put together again every three months.

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The worst of it was, that the country back of New York had not been, could not be, purged of active loyalists as the country round about Boston had been by the local "committees" of one sort or another and by the very active and masterful young men who had banded themselves together as "Sons of Liberty," seeing much rich adventure, and for the present little responsibility, ahead of them in those days of government by resolution. Washington transferred his headquarters to New York early in April and set about his almost hopeless task with characteristic energy and fertility of resource; but there were spies without number all about him, and every country-side was full of enemies who waited for General Howe's coming to give him trouble. The formal Declaration of Independence which the Congress adopted in July hardened the face and stiffened the resolution of every man who had definitely thrown in his lot with the popular cause, as Washington had foreseen that it would, just because it made resistance avowed rebellion, and left no way of retreat or compromise. But it also deeply grieved and alienated many a man of judgment and good feeling, and made party differences within the colonies just so much the more bitter and irreconcilable.

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The first attempt of the British was made against Charleston in the south. A fleet under Sir Peter Parker came out of England with fresh troops commanded by the Earl of Cornwallis, was joined by transports and men-of-war from Halifax, bearing a force under Sir Henry Clinton, and, as June drew towards its close, delivered a combined attack, by land and sea, upon the fort on Sullivan's Island, seeking to win its way past to the capture of Charleston itself. But they could not force a passage. Two of the ships,—one of them Sir Peter's own flag-ship,—never came away again Colonel Moultrie and Colonel Thompson beat off both the fleet and the troops landed from it; and the British went northward again to concentrate upon New York.

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On the 28th of June,—the very day of the attack at Charleston,—Howe's transports began to gather in the lower bay. A few days more, and there were thirty thousand troops waiting to be landed. It was impossible, with the force Washington had, to prevent their being put ashore at their commander's convenience. It was impossible to close the Narrows, to keep their ships from the inner bay, or even to prevent their passing up the river as they pleased. Washington could only wait within the exposed town or within his trenches on Brooklyn heights, which commanded the town almost as Dorchester and Charlestown heights commanded Boston.

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For a month and more Sir William waited, his troops most of them still upon the ships, until he should first attempt to fulfil his mission of peace and accommodation. His brother, Admiral Lord Howe, joined him there in July. They were authorized to offer unconditional pardon, even now, to all who would submit. The ministers in England could not have chosen commissioners of peace more acceptable to the Americans or more likely to be heard than the Howes. Not only were they men of honor, showing in all that they did the straightforward candor and the instinctive sense of duty that came with their breeding and their training in arms, but they were also brothers of that gallant young soldier who had come over almost twenty years ago to fight the French with Abercrombie, to be loved by every man who became his comrade, and to lose his life untimely fighting forward through the forests which lay about Ticonderoga, a knightly and heroic figure. But they could offer no concessions,—only pardon for utter submission, and, for all their honorable persistency, could find no one in authority among the Americans who would make the too exacting exchange. Their offers of pardon alternated with the movements of their troops and their steady successes in arms. Lord Howe issued his first overture of peace, in the form of a public proclamation offering pardon, immediately upon his arrival with his fleet at Sandy Hook, and followed it up at once with messages to the Congress at Philadelphia. Sir William Howe put his troops ashore on the 22d of August, and made ready to dislodge Washington from the heights of Brooklyn; but on the 23d he too, in his turn, made yet another offer of general pardon, by proclamation.

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On the 27th he drove the American forces on Long island in on their defences, and rendered the heights at once practically untenable. Washington had but eighteen thousand half-disciplined militiamen with which to hold the town and all the long shores of the open bay and river, and had put ten thousand of them across the river to hold Long Island and the defences on the heights. Sir William had put twenty thousand men ashore for the attack on the heights; and when Washington knew that his advanced guard was driven in, and saw Sir William, mindful of Bunker Hill, bestow his troops, not for an assault, but for an investment of the heights, he perceived at once how easily he might be cut off and trapped there, armed ships lying at hand which might at any moment completely command the river. Immediately, and as secretly as quickly, while a single night held, he withdrew every man and every gun, as suddenly and as successfully as he had seized the heights at Dorchester.

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Again Sir William sent a message of conciliation to the Congress, by the hands of General Sullivan, his prisoner. On the 11th of September, before the next movement of arms, Dr. Franklin, Mr. John Adams, and Mr. Edward Rutledge met Lord Howe and Sir William, as commissioners from the Congress, to discuss possible terms of accommodation. Dr. Franklin had been in London until March. During the past winter he had more than once met Lord Howe in earnest conference about American affairs, the ministers wishing to find through him some way, if it were possible, of quieting the colonies. But the ministers had not been willing then to make the concessions which might have ended the trouble, and their commissioners were not authorized to make them now; and the conference with the representatives of the Congress came to nothing, as the conferences in London had come to nothing.

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Washington could no more hold Manhattan Island with the forces at his command than he could hold Brooklyn heights. He had no choice in the end but to retire. General Howe was cautious, moved slowly, and handled his forces with little energy or decision; Washington made stand and fought at every point at which there was the least promise of success. His men and his commanders were shamefully demoralized by their defeat on Long Island, but he held them together with singular tact and authority: repulsed the enemy at Haarlem heights (September 16th), held his own before them at White Plains (October 28th),—and did not feel obliged to abandon the island until late in November, after General Greene had fatally blundered by suffering three thousand of the best trained men of the scant continental force, with invaluable artillery, small-arms, and stores, to be trapped and taken at Fort Washington (November 16th).

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When he did at last withdraw, and leave Howe incomplete control of the great port and its approaches, the situation was indeed alarming. He had been unspeakably stung and disquieted, as he withdrew mile by mile up the island, to see how uncertain his men were in the field,—how sometimes they would fight and sometimes they would not at the hot crisis of a critical encounter; and now things seemed to have gone utterly to pieces. He might at any moment be quite cut off from New England. While he still faced Howe on Manhattan Island, General Carleton, moving with a British force out of Canada, had driven Benedict Arnold up Champlain, despite stubborn and gallant resistance (October 11th and 13th), and on the 14th of October had occupied Crown Point. There he had stopped; and later news came that he had withdrawn. But apparently he could strike again almost when he pleased, and threaten all the long line of the Hudson even to where Howe lay at New York itself.

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It was not mere defeat, however, that put the cast almost of despair upon affairs as Washington saw them that dismal autumn. His forces seemed to melt away under his very eyes. Charles Lee, his chief subordinate in command, too much a soldier of fortune to be a man of honor, obeyed or disregarded his orders at his own discretion. When once it was known that General Washington had been obliged to abandon the Hudson, consternation and defection spread everywhere. On the 30th of November, when his defeat seemed complete, it might be final, the Howes joined in a fresh proclamation of pardon, inviting all, once again, to submit and be forgiven; and it looked for a little as if all who dared would take advantage of the offer and make their peace with the enemy,—for Washington now moved in a region where opinion had from the first been sharply divided. While defection spread he was in full retreat, with scarcely three thousand men all told in his demoralized force,—that handful ill-clad and stricken with disease, and dwindling fast by desertion,—an overwhelming body of the enemy, under Cornwallis, at his very heels as he went, so that he dared hardly so much as pause for rest until he had put the broad shelter of the Delaware behind him. "These are the times that try men's souls," cried Thomas Paine (December, 1776); "the summer soldier and the sunshine patriot" were falling away. One after another, that very summer, the delegates of the several states had put their names to the Declaration of Independence; but already there seemed small prospect of making it good. To not a few it already began to seem a piece of mere bravado, to be repented of.

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The real strength and hope of the cause lay in the steadfastness and the undaunted initiative of the indomitable Virginian whom the Congress had chosen for the chief command. He proved himself a maker as well as a commander of armies, struck oftenest when he was deemed most defeated, could not by any reverse be put out of the fighting. He was now for the first time to give the British commanders a real taste of his quality. What there was to be done he did himself. The British stopped at the Delaware; but their lines reached Burlington, within eighteen miles of Philadelphia, and from Trenton, which they held in some force, extended through Princeton to New Brunswick and their headquarters at New York. Philadelphia was stricken with utter panic. Sick and ragged soldiers poured in from Washington's camp, living evidences of what straits he was in, and had to be succored and taken care of; the country roads were crowded with vehicles leaving the town laden with women and children and household goods; the Congress itself incontinently fled the place and betook itself to Baltimore. Washington's military stores were in the town, but he could get no proper protection for them. It was at that very moment, nevertheless, that he showed all the world with what skill and audacity he could strike. By dint of every resolute and persistent effort he had before Christmas brought his little force to a fighting strength of some six thousand. More than half of these were men enlisted only until the new year should open, but he moved before that.

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During the night of Christmas Day, 1776, ferried by doughty fishermen from far Gloucester and Marblehead,—the same hardy fellows who had handled his boats the night he abandoned the heights of Brooklyn,—he got twenty-five hundred men across the river through pitchy darkness and pounding ice; and in the early light and frost of the next morning he took Trenton, with its garrison of nine hundred Hessians, at the point of the bayonet. There he waited,—keeping his unwilling militiamen to their service past the opening of the year by dint of imperative persuasion and a pledge of his own private fortune for their pay,—until Cornwallis came down post-haste out of New York with eight thousand men. Moving only to change his position a little, he dared to wait until his adversary was encamped, at nightfall of the 2d of January, 1777, within ear-shot of his trenches; then slipped northward in the night, easily beat the British detachment posted at Princeton, as the next day dawned and had its morning; and could have taken or destroyed Cornwallis's stores at New Brunswick had his men been adequately shod to outstrip the British following hard behind them. As it was, he satisfied himself with having completely flanked and thwarted his foe, and withdrew safe to the heights of Morristown. The British had hastily retired from Burlington upon the taking of Trenton,—so hastily that they took neither their cannon nor even their heavier baggage away with them. Now they deemed it unsafe to take post anywhere south of New Brunswick, until spring should come and they could see what Washington meant to do. Once again, therefore, the Americans controlled New Jersey; and Washington ordered all who had accepted General Howe's offer of pardon either to withdraw to the British lines or take the oath of allegiance to the United States. Daring and a touch of genius had turned despair into hope. Americans did not soon forget that sudden triumph of arms, or that the great Frederick of Prussia had said that that had been the most brilliant campaign of the century.

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A soldier's eye could see quickly and plainly enough how the whole aspect of the war had been changed by those brief, sudden, unexpected strokes at Trenton and Princeton. Men near at hand, and looking for what a soldier would deem it no business of his to reckon with, saw that it had not only radically altered the military situation, but also the very atmosphere of the times for all concerned. The fighting at Trenton and Princeton had been of no great consequence in itself, but it had in every way put the war beyond its experimental stage. It had taught the British commanders with what sort of spirit and genius they had to deal, and how certain it was that their task must be carried to a finish not only by conquering marches and a mere occupation of the country, but by careful strategy and the long plans of a set campaign. Moreover, they now obviously had a country, and not an insurgent army merely, to conquer, and a vast country at that. That surprising winter had set men's sinews to what they had undertaken, on the one side as on the other.

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In December (1776) it had looked as if all firmness had been unnerved and all hope turned to foreboding by the success of the British at New York and in the Jerseys. Joseph Galloway, of Pennsylvania, when that crisis came, took advantage of the opportunity to remove within the British lines and cast in his lot there with those who were ready to stake everything upon their loyalty and the success of the British arms. Others followed his example—some out of panic, but many, it seemed, not out of fear, but out of principle. Only the other day Mr. Galloway had been the chief figure in the Congress of Committees which spoke for the colonies; for many a long day he had been the chief figure in the politics of his own colony; and many of those who made submission when he did were of families of the first dignity and consequence. They, like him, had been champions of colonial rights until it came to the point of rebellion. They would not follow further. Their example was imitated now, moreover, in their act of formal submission, by some who had played the part of patriot more boldly and with less compunction. Mr. Samuel Tucker, even, who until this untoward month had been president of New Jersey's revolutionary committee of safety, made his submission It seemed hard to find steadfastness anywhere.

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But Washington's genius and the license of the British soldiery had turned the tide at last, when it seemed upon the very point of becoming overwhelming. The occupation of the British, brief as it had been, had brought upon New York and the Jerseys experiences like those of a country overrun by a foreign soldiery permitted almost every license of conquest. When the ministers in England found themselves, in 1774, face to face with the revolt in the colonies, they could count but 17,547 men all told in the King's forces; and when it came to sudden recruiting, they could obtain very few enlistments. They dared not risk conscription—English opinion had never tolerated that, except to meet invasion. They sent to America, therefore, to reinforce General Howe, not only English soldiers as many as they could muster, but a great force of German troops as well, hired by the regiment, their trained officers included, from the Landgrave of Hesse-Cassel and other German princes, neighbors to the German dominions of the House of Hannover. It was close upon a thousand of these "Hessians" (for the colonists knew them all by that single name) that Washington had taken at Trenton, but not until they and their comrades had had time to make every country-side from New York to the Delaware dread and hate them. The British commanders had suffered their men, whether English or foreign, to plunder houses, insult and outrage women, destroy fields of grain, and help themselves to what the towns contained almost as they pleased; and had hardened the faces of ten of the angry colonists against them for every one who made submission and sought to put himself on their side, accordingly. Their marauding parties made little distinction between friend and foe, so they but got what they wanted. Washington could thank them for doing more to check defections from the patriotic party than he could possibly do for himself by carrying out the orders of the Congress to disarm all loyalists and bring recusants to a sharp reckoning.

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And so the year 1777 dawned like a first year of settled war and revolution. For a little while, at the outset of the year, the Congress made Washington practical dictator in every affair that concerned the prosecution of the war. It authorized long enlistments, moreover, instead of the makeshift enrolments for three months which had hitherto kept Washington's army always a-making and to be made, dissolving and reforming month by month. The Congress had, it is true, neither the energy nor the authority it needed. It could get little money to pay the troops; its agents seriously mismanaged the indispensable business of supplying the army with stores and clothing; and the men desserted by the score in disgust. Washington declared, in the summer of 1777, that he was losing more men by desertion than he was gaining by enlistment, do what he would. But these were difficulties of administration. In spite of all dangers and discouragements, it was evident that the continent was setting to its task. And the end of the year showed the struggle hopefully set forward another stage.

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The military operations of that memorable year were a striking illustration of the magnitude of the task the British generals were set to accomplish, and of their singular lack of the energy, decision, and despatch necessary to accomplish it. They seemed like men who dallied and dreamed and did not mean to succeed. They planned like men of action, but then tarried and bungled at the execution of their plans. It was their purpose that year (1777) to strike from three several directions along the valley of the Hudson, and break once for all the connection between the New England colonies and their confederates. General Burgoyne was to move, with eight thousand men, down Lake Champlain; Colonel St. Leger, with a small but sufficient force, along a converging line down the valley of the Mohawk, from Oswego on Ontario; and General Howe was to meet them from the south, moving in strength up the Hudson. More than thirty - three thousand men would have effectually swept the whole of that great central valley, north and south, when their plan was executed. But it was not executed. The British commanders were to learn that, for their armies, the interior of the country was impracticable.

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Both St. Leger and Burgoyne were baffled in that vast wilderness. It was simple enough for Burgoyne to descend the lakes and take once again the forts which guarded them. Even Ticonderoga he took without a blow struck. A precipitous height, which the Americans had supposed inaccessible by any sort of carriage, rose above the strong fortifications of the place beyond a narrow strip of water; the English dragged cannon to its summit; and General St. Clair promptly withdrew in the night, knowing his position to be no longer tenable. But it was another matter to penetrate the forests which lay about Lake George and the upper waters of the Hudson with militiamen out of every country-side within reach swarming thicker and thicker at every step the redcoats took into the depths of the perplexing region. A thousand men Burgoyne felt obliged to leave at Ticonderoga for the sake of his communications; close upon a thousand more he lost (August 16th) at Bennington, whither he had sent them to seize stores; and by the time he had reached the neighborhood of Saratoga with the six thousand left him, fully fourteen thousand provincials beset him. He had been told that the people of the country through which he was to pass would gladly give him aid and succor; that those quiet forests of Vermont and New York would even yield him, it might be, a regiment or two of loyalists wherewith to recruit his ranks when once his presence there should give the secluded settlers heart of grace to declare themselves openly for the King. Instead of that, he presently had a formidable force of provincial yeomanry out of Vermont dogging his steps under General Lincoln; a like levy, hurriedly drawn together out of New Hampshire and Massachusetts, beat and captured his best German troops at Bennington; the country was emptied of its people and of its cattle, was stripped of its forage even, as he advanced; and every step he took threatened to cut him off alike from his sources of supply and from his lines of retreat. It maddened the watchful men of those scattered homes to see him come with half a thousand savages at his front. It had been bad enough to see any invaders on that defenceless border: but the presence of the redskins put their homes and their lives in immediate and deadly peril, and they mustered as they would have mustered to meet a threat of massacre. Burgoyne himself would have checked his savage allies when the mischief had been done and it was too late; but he only provoked them to desert him and leave him without guides in an almost pathless wilderness, without appeasing the men their presence had brought swarming upon his flanks.

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He pushed forward nevertheless, dogged, indomitable, determined to risk everything rather than fail of his rendezvous with Howe and St. Leger at the Hudson. And yet close upon the heels of his defeat and heavy loss at Bennington came news that St. Leger had already failed. Late in July, St. Leger had thrust his way cautiously through the forests from Oswego to the upper waters of the Mohawk; and there, on the 3d of August, he had set himself down to take Fort Stanwix, with its little garrison of six hundred men under Colonel Peter Gansevoort. There, if anywhere in those northern forests by the Mohawk, might men who fought in the name of the King look to be bidden Godspeed and given efficient aid and counsel by the settlers of the country-side through which they moved. There William Johnson (Sir William since the French war) had reigned supreme for a long generation his energy, subtlety, quick resource, and never failing power over men holding the restless Iroquois always to their loyalty to the English, the English always to their duty to the crown. Sir William had been dead these three years; but his son, Sir John, still held his ancient allies to their fealty and stood at the front of those who would not accept the revolution wrought at Boston and Williamsburg and Philadelphia. This war among the English sadly puzzled the red warriors of the forest. War between the king of the French and the king of the English they understood; it was a war of hostile peoples; but this war of the English against their chiefs? "You are two brothers," they said, "of one blood." The Mohawks deemed it some subtile treachery, as their great chief did, the redoubtable Joseph Brant, himself trained with the English boys in Mr. Wheelock's school at Lebanon and taught to see the white man close at hand; and the Cayugas and Senecas followed them in their allegiance to the mighty sachem who "lived over the great lake," their friend and ally time out of mind. The Onondagas held off, neutral. The Oneidas and Tuscaroras, among whom Mr. Kirkland was mission ary, aided the patriots when they could, because he wished it, but would not take the war-path. There were white loyalists, too, as well assured, on that far frontier. Sir John Johnson was their leader. Their regiment of Royal Greens, together with John Butler's Tory rangers, constituted the bulk of St. Leger's motley force of seventeen hundred, red men and white. Scottish highlanders, stubborn Englishmen hot against the revolution, and restless Irishmen, for the nonce on the side of authority, filled their ranks.

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But even there, in Sir William Johnson's onetime kingdom, enemies of King and Parliament mustered stronger yet, and showed quicker concert, freer, more instant union than the Tories. There were Dutch there, and Germans and Scots-Irish, who reckened nothing of the older ties that had bound them when it came to the question whether they should yield in their own affairs to masters over sea. Peter Gansevoort commanded the little garrison at Stanwix; Nicholas Herkimer brought eight hundred men to his succor. Brant and Johnson trapped the stout hearted German In a deadly ambush close by Oriskany as he came; but he beat them off. While that heroic struggle went forward there in the close ravine the hot morning through (August 6, 1777), Gansevoort made sally and sacked Sir John's camp. Herkimer could come no further; but there came, instead, rumors that Burgoyne was foiled and taken and the whole American army on the road to Stanwix. It was only Benedict Arnold, with twelve hundred Massachusetts volunteers; but the rumors they industriously sent ahead of them carried the panic they had planned, and when they came there was no army to meet. St. Leger's men were in full flight to Oswego, the very Indians who had been their allies harrying them as they went, in mere wanton savagery and disaffection.

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Though he knew now that St. Leger could not come, though he knew nothing, and painfully conjectured a thousand things, of Sir William Howe's promised movement below upon the river, Burgoyne pushed forward to the Hudson and crossed it (September 13, 1777), to face the Americans under General Gates upon the western bank. It was as safe to go forward as to turn back. Gates, secure within his intrenchments, would not strike; and he, his supplies instantly threatened behind him, could not wait. On the 19th of September he threw four thousand men forward through the forest to turn, if it were possible, the flank of General Gates's army where it lay so still upon Bemis's Heights by Stillwater. But Arnold was too quick for him. With three thousand men Arnold met and checked him, moving with all the quick audacity and impetuous dash of which he had given Guy Carleton a taste upon Champlain and at the gates of Quebec, Daniel Morgan and his Virginian riflemen again at his back as they had been at far Quebec. His stroke having failed, Burgoyne lay still for eighteen tedious days, waiting once more for Sir Henry Clinton, now at last, he knew, actually upon the river. On the 7th of October he struck again. Clinton came too slowly. Burgoyne's lines of communication by the northern lakes, long threatened by General Lincoln and his Vermonters, were now actually cut off, and it was possible to calculate just how few days' rations remained to make his campaign upon. He tried an attack with picked men, moving quickly; but overwhelming forces met him, and the inevitable Arnold, coming upon the field when he was already beaten, turned his defeat almost into a rout. He withdrew hopelessly towards Saratoga. Every crossing of the river he found heavily guarded against him. No succor came to him, or could come, it seemed, either from the west or from the south; he could find no safe way out of the wilderness; without aid, the odds were too great against him; and on the 17th of October he capitulated.

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General Howe had moved south instead of north. He fancied that it would bring him no small moral advantage to take Philadelphia, the "capital" of the insurgent confederacy; and he calculated that it ought to be easily possible to do so before Burgoyne would need him in the north. Early in June, accordingly, he attempted to cross the Jerseys; but Washington, striking from Morristown, threatened his flank in a way which made him hesitate and draw bask. He returned to New York, and put eighteen thousand men aboard his transports, to get at Philadelphia by water from the south. It was the 25th of August, and Burgoyne was needing him sorely in the northern forests, before he had got ready for his land movement. He had gone all the long way round about into Chesapeake Bay, and had made his landing at the Head of Elk, in Maryland. Washington met him behind the fords of the Brandywine (September 11th), but could not withstand him. He could only delay him. Defeat no longer meant dismay for the Americans; Washington acted in force as steadily and effectively after defeat as after victory. It was the 27th of September before Sir William entered Philadelphia. He was hardly settled there before Washington attacked him again, at his outpost at Germantown, in the thick mist of the morning of the 4th of October, and would have taken the place had not the mist confused and misled his own troops. Meantime Burgoyne was trapped at Saratoga. On October 3d Sir Henry Clinton had begun at last the movement from New York for Burgoyne's relief which ought to have been begun in midsummer,—carrying northward a strong fleet upon the river and an army of three thousand men. But it was too late. Burgoyne's surrender was already inevitable. The net result of the campaign was the loss of the northern army and the occupation of Philadelphia. "Philadelphia has taken Howe," laughed Dr. Franklin, in Paris, when they told him that Howe had taken Philadelphia.

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The long, slow year had been full of signs both good and bad. International forces were beginning to work in favor of the insurgent colonies. From the outset France and Spain had been willing to give them aid against England, their traditional rival and enemy. Since the summer of 1776 they had been promised French and Spanish assistance through Beaumarchais, acting ostensibly as the firm of "Roderigue Hortalez et Cie.," but really as the secret agent of the two governments; and early in 1777 the fictitious firm had begun actually to despatch vessels laden with arms and ammunition to America. Private money also went into the venture, but governments were known to be behind it; and on January 5th, 1777, Mr. Franklin had arrived in Paris to assist in bringing France into still closer touch with the war for independence over sea. As the year drew towards its close the great Frederick of Prussia had forbidden troops hired in the other German states to cross Prussian territory to serve the English in America, and so had added his good-will to the French and Spanish money. French, and even German and Polish officers, too, volunteered for service in the American armies. It was the gallant Polish patriot Tadeusz Kosciuszko who had shown General Gates how to intrench himself upon Bemis's Heights.

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The winter was deeply disheartening, nevertheless, for Washington. Having failed in the mist at Germantown, he withdrew his army to Valley Forge, whence he could watch Howe at Philadelphia, and move as he moved, and yet himself feel safe against attack; but utter demoralization had fallen upon the Congress, sitting in a sort of exile at York, and his army was brought to such straits of privation and suffering in its exposed camp as he had never been obliged to see it endure before. There was plenty of food in the country; plenty even at the disposal of Congress and in the stores of its commissariat. The British had overrun very little of the fertile country; the crops had been abundant and laborers had not been lacking to gather them in—especially there in thriving Pennsylvania. But the Congress had lost all vigor alike in counsel and in action. Men of initiative had withdrawn from it to serve their states in the reorganization of their several governments and in the command of forces in the field. Sometimes scarcely a dozen members could be got together to take part in its deliberations. It yielded to intrigue,—even to intrigue against Washington; allowed its executive committees, and most of all the commissary department, upon which the army depended, to fall into disorganization; listened to censures and bickerings rather than to plans of action; lost the respect of the states, upon which its authority depended; and left the army almost to shift for itself for sustenance. Fortunately it was a mild winter. Fortunately Washington was masterful and indomitable, and proved equal to checkmating at a single move those who intrigued in the Congress to displace him. Despite every bitter experience of that dark and anxious season, he had when spring came an army stronger and fitter for service than it had been when he took it into winter quarters. The lengthened term of service had given him at last an army which might be drilled, and foreign officers,—notably the capable Steuben,—had taught him how to drill it.

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General Howe's winter passed easily and merrily enough in Philadelphia. The place was full of people of means and influence who hoped as heartily as Mr. Galloway did for the success of the British arms. Some of the leading Quakers of the town, whose influence was all for an accommodation of the quarrel with the mother country, had been arrested the previous summer (1777) and sent south by the patriot leaders; but many more were left who were of their mind, and General Howe met something like a welcome when he came in the autumn. The fashionable young women of the town were delighted to look their best and to use their charms to the utmost at all the balls and social gatherings that marked the gay winter of his stay, and their parents were not displeased to see them shine there. But for the soldiers' coats one would have thought that peace had come again.

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But the minds of the ministers in England were not so much at ease. In February, 1778, Lord North introduced and pressed through Parliament conciliatory measures of the most radical sort, practically retracing every misjudged step taken with regard to the colonies since 1765; and commissioners of peace were sent to America with almost plenipotentiary powers of accommodation. But that very month a formal treaty of alliance was signed between France and the United States; by the time the peace commissioners reached Philadelphia, England had a war with France on her hands as well as a war with the colonies; there was no rejoicing in the camp at Valley Forge over the news of Lord North's unexpected turn of purpose, but there was very keen rejoicing when news of the French alliance came. The Congress would not treat with the commissioners. Conciliation had come too late for the colonies the aspect of the war was too hopeful.

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When the commissioners reached Philadelphia they found General Clinton about to abandon it. Sir Henry Clinton had succeeded General Howe in chief command in May. His orders were to evacuate Philadelphia and concentrate his forces once more at New York. The town was as full of excitement and dismay at the prospect as it had been but a little more than a year ago at news of the British approach. When the army began to move, three thousand loyalists abandoned the town with it, going with the stores by sea, while Sir Henry took his fifteen thousand men overland through the Jerseys again.

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When he moved, Washington moved also; outstripped him; caught him at a disadvantage at Monmouth Court House (June 28, 1778); and would inevitably have beaten him most seriously had not Charles Lee again disobeyed him and spoiled the decisive movement of the day,—Charles Lee, the soldier of fortune whom the Americans had honored and trusted. He had disobeyed before, when Washington was retreating hard pressed from New York. This time he seemed to play the coward. It was not known until afterwards that he had played the traitor, too. Clinton got off, but in a sort of rout, leaving his wounded behind him. "Clinton gained no advantage except to reach New York with the wreck of his army," was the watchful Frederick's comment over sea. "America is probably lost for England."

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Even the seas were no longer free for the movements of the British fleets, now that France was America's ally and French fleets were gathering under orders for the American coast. Every month the war had lasted the English had found their commerce and their movement of stores and transports more and more embarrassed by the American privateersmen. There were bold and experienced seamen at every port of the long coast. The little vessels which were so easily set up and finished by skilful carpenters and riggers in almost any quiet inlet were sure to be fast and deftly handled when they got to sea; kept clear of his Majesty's fleets and of too closely guarded harbors; cruised whithersoever the wits of their sagacious masters took them; and had generally to be heavily overmatched to be beaten. They had taken more than five hundred British soldiers from the transports before the Congress at Philadelphia had uttered its Declaration of Independence. Their prizes numbered more than four hundred and fifty the year of Saratoga and Brandy wine and the fight in the morning's mist at Germantown, though there were seventy ships of war upon the coast. The very coasts of England herself were not safe against them. Mr. Franklin went to France in the autumn of 1776 with his pocket full of blank letters of marque, and American privateersmen from out the French ports caught prizes enough in English waters to keep the commissioners in Paris well found in money for their plans. In January, 1778, Captain Rathburne, in the Providence, actually seized the fort in the harbor of Nassau in New Providence of the Bahamas, and took possession of town and shipping; and in the spring of that same year John Paul Jones performed the same daring feat at Whitehaven by Solway Firth in England itself.

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These privateersmen, it turned out, were more to be feared for the present than the fleets of France. The Count d'Estaing was, indeed, despatched to America with twelve ships of the line and six frigates, with four thousand troops aboard; and his fleet appeared off Sandy Hook in midsummer, 1778, while Sir Henry Clinton was still fresh from his fright at Monmouth. But the too cautious admiral came and went, and that was all He would not attempt an attack upon the English fleet within the bay at New York, though it was of scarcely half his strength. His pilots told him his larger ships could not cross the bar. Newport was the only other harbor the English held; and there he allowed Lord Howe to draw him off. A storm sea separated the fleets before they could come to terms, and his cruise ended peaceably in Boston harbor. But it was a heavy thing for England to have French fleets to reckon with, and embarrassments thickened very ominously about her. She had absolutely no hold on America, it seemed, outside the lines actually occupied by her armies at Newport and New York; the very sea was beset, for her merchantmen; and France was now kindled into war against her.

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And yet the Americans, too, were beset. They had not only their long coasts to watch and British armies to thwart and checkmate, but their western borders also to keep, against Tory and savage. The Iroquois country, in particular, and all the long valleys of the Mohawk, the Unadilla, and the Susquehanna, were filled with the terrors of raid and massacre throughout that disappointing and anxious summer of 1778. The stubborn loyalists of the forest country, with their temper still of the untamed highlands of old Scotland or of the intractable country-sides of old England, had been driven into exile by the uncompromising patriots, their neighbors, who outnumbered them. But they had not gone far. They had made their headquarters, the more dogged and determined of them, at Niagara, until this score should be settled. Sir John Johnson was still their leader, for all he had been so discomfited before Fort Stanwix; and John Butler and Walter Butler, father and son, men touched with the savagery of the redmen, their allies. Joseph Brant, that masterful spirit who was a sort of self-appointed king among the savage Mohawks, did not often willingly forget the precepts of that Christian creed to which good Mr. Wheelock had drawn him in his boyhood, and held the redmen back when he could from every wanton deed of blood; but the Butlers stopped at nothing, and white men and red made common cause against the border settlements. Their cruel strokes were dealt both far and near. Upon a day in July, 1778, never to be forgotten, twelve hundred men fell upon the faraway Wyoming Valley upon the Susquehanna and harried it from end to end until it was black and desolate. In November a like terrible fate fell upon peaceful Cherry Valley, close at hand. There could be no peace or quarter until the hands of these men were stayed.

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But, though very slowly, the end came. The men who mustered in the patriotic ranks knew the forest and were masters of its warfare. They had only to turn to it in earnest to prevail. There were men upon the border, too, who needed but a little aid and countenance to work the work of pioneer statesmen on the western rivers. Most conspicuous among these was George Rogers Clark, the young Saxon giant who, in 1777, left his tasks as pioneer and surveyor on the lands which lay upon the south of the great river Ohio in far Kentucky, Virginia's huge western county, and made his way back to the tide-water country to propose to Mr. Henry, now governor of the revolutionized commonwealth, an expedition for the conquest of the "Illinois country" which lay to the north of the river. He was but five-and-twenty, but he had got his stalwart stature where men came quickly into their powers, deep in the forests, where he had learned woodcraft and had already shown his mettle among men. Mr. Henry and Mr. Jefferson and Mr. Wythe and Mr. Madison, whom he consulted, approved his purpose very heartily. It was a thing which must be prepared for very quietly, and pushed, when once begun, with secrecy and quick despatch; but the mustering of men and the gathering of munitions and supplies were incidents which made no stir in those days of familiar war. Clark could bring together what force he pleased at Pittsburgh, and excite only the expectation that a new band of armed men were about to set out for the frontiers of Kentucky. In May, 1778, he was ready. He took but one hundred and eighty picked riflemen, a modest flotilla of small boats, and a few light pieces of artillery, but they sufficed. Before the summer was out he had gained easy mastery of the little settlements which lay to the northward upon the Mississippi and within the nearer valley of the Wabash. He had an infinitely pleasing way of winning the friendship of men upon any border, and the Frenchmen of the settlements of the Illinois country relished the change he promised them, liked well enough the prospect of being quit of the English power. There were few Englishmen to deal with.

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When winter came Colonel Hamilton, the British commander at Detroit, came south into the forest with a motley force of five hundred men, mixed of regulars, Tories and Indians, such as St. Leger had taken against Stanwix, and occupied Vincennes again, upon the Wabash; but Clark struck once more, sending his boats up the river and bringing his picked force straight across the frozen forests from Kaskaskia by the Mississippi; and by the end of February, 1779, Colonel Hamilton and all his levy were his prisoners. The Illinois country was added to Virginia, and the grant of her ancient charter, "up into the land, west and northwest," seemed made good again by the daring of her frontiersmen. He could have taken Detroit itself, Clark declared, with but a few hundred men. While he cleared the northern rivers of the British arms a force like his own descended the Mississippi, seized Natchez, and cleared the southern reaches of the great stream.

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That winter had witnessed a sharp shifting of the scene of the war in the east. The British commanders there had turned' away from General Washington and the too closely guarded reaches of the Hudson to try for better fortune in the far south. In December, 1778, Clinton sent thirty-five hundred men from New York to the southern coasts by sea, and on the 29th Savannah was taken, with comparative ease, there being but a scant six hundred to defend it. The town once taken, it proved an easy matter, at that great remove from the centre of the American strength, to overrun the country back of it during the early weeks of 1779. But after that came delay again, and inaction, as of those who wait and doubt what next to do. The new year saw nothing else decisive done on either side. In April Spain made common cause with France against England; but Washington waited in vain the year through to see the fighting transferred to America. A few strategic movements about New York, where Clinton lay; a few raids by the British; a few sharp encounters that were not battles, and the year was over. The British made sallies here and there, to pillage and burn, to keep the country in awe and bring off whatever they could lay hands upon, striking sometimes along the coast as far as Connecticut and even the Chesapeake at the south; but armed bands were quick to muster to oppose and harass them wherever they went, and it was never safe for them to linger. Clinton thrust his lines out upon the river and fortified Stony Point; but Anthony Wayne stormed the place of a sudden, with twelve hundred men, and took it, with unshotted guns at the point of the bayonet before dawn on the morning of the 15th of July, and brought more than five hundred prisoners away with him, having come with that quick fury of reckless attack which made men call him Mad Anthony, and having as quickly withdrawn again. Harry Lee stormed Paulus Hook in like fashion, and the British were nowhere very easy within their lines. But, for the rest, there was little to break the monotony of waiting for news of the war at England's door, where the fleets of the allies threatened her. Privateersmen were as busy as ever, and as much to be feared, almost, as the French cruisers themselves; but the formal operations of the war seemed vaguely postponed. Without the cooperation of a naval force it was impossible for Washington to do anything against Sir Henry at New York.

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While he waited, therefore, he despatched General Sullivan with five thousand men into the forest couutry of the Mohawk and the Susquehanna to make an end of the cruel mischief wrought upon defenceless homes by the bitter Tories and their red allies. The little army, sent forward in divisions, swept through the country it was bidden clear like men who searched stream and valley upon a journey of discovery; converged to meet their hunted foes, but fifteen hundred strong, where they lay at bay within a bend of the Chemung,—the full rally of the forest country, British regulars, Tory rangers, Indian braves, Johnson, the Butlers, Joseph Brant, every leader they acknowledged, united to direct them,—and overwhelmed them ravaged the seats of Seneca and Cayuga far and near, till neither village nor any growing thing that they could find upon which men could subsist was left this side the Genesee; stopped short only of the final thing they had been bidden attempt, the capture of the stronghold at Niagara itself.

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That was a summer's reckoning which redmen far and near were not likely to forget. In April a little army of frontiersmen under Colonel Evan Shelby, that stout pioneer out of Maryland who brought hot Welsh blood to the task, swept suddenly along the northward reaches of the Tennessee and harried the country of the Chickamaugas, among whom Tories and British alike had been stirring war. In August, Colonel Brodhead, ordered to cooperate with General Sullivan, had taken six hundred men from his post at Fort Pitt, whence Clark had make his exit into the west, and had destroyed the Indian settlements by the Alleghany and upon French Creek, the old routes of the French from the lakes to the Ohio. Such work was never finished. The Indians were for a little dislodged, disconcerted, and put to sad straits to live; but they were not conquered. The terror bred a deeper thirst for vengeance among them, and a short respite of peace was sure to be followed when a new year came In with fresh flashes of war on the border, as lurid and ominous as ever. The danger was lessened, nevertheless. The final conquest of the Indian country was at least begun. The backwoodsmen were with in sight of ultimate mastery when once peace should bring settlers crowding westward again.

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The fighting at sea that memorable year of doubt was of a like import—full of daring and stubborn courage, planned and carried through with singular initiative and genius, quick with adventure, bright with every individual achievement, but of necessity without permanent consequence. Late in July, 1779, Captain Paul Jones had sailed from a port of France in command of a little squadron, half American, half French, with which the energy of Mr. Franklin had supplied him. His flagship, the Bon Hommi Richard, was a worn-out French East Indiaman, fitted with forty guns, many of which were unserviceable; his French consorts were light craft, lightly armed; only one ship of the squadron was fully fit for the adventures he promised himself, having come fresh from the stocks in America, and she was intrusted to the command of a French captain who obeyed orders or not, as he pleased. But Jones was a man to work with what he had, and made even that improvised fleet suffice. With it he cruised the whole length of the western coast of Ireland and circled Scotland. Off Flamborough Head he fell in with the Serapis, 44, and the Countess of Scarborough, 20, the convoy of a fleet of merchant- men, and himself took the larger ship almost unassisted in a desperate fight after sunset, in the first watch of the night of the 23d of September. Neither ship survived the encounter forty-eight hours, so completely had they shot each other to pieces, and no man who followed the sea was likely to forget what he heard of that close grapple in the gathering night in the North Sea. "If I fall in with him again, I will make a lord of him," Jones exclaimed, when he heard that the King had knighted Captain Pearson, of the Serapis, for the gallant fight.

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For a little, in the autumn, it looked as if the naval aid for which General Washington waited had come at last. The Count d'Estaing was in the West Indies with a strong fleet, from an encounter with which the English commander in those waters had drawn off to port again to refit. The count was willing, while his hands were free, to cooperate in an attack upon the southern coast at Savannah. A portion of Washington's army was sent south to join General Lincoln in South Carolina for the attempt. Count d'Estaing put six thousand troops aboard his fleet, and by the 16th of September was within the harbor. But he did not strike quickly or boldly enough, took the slow way of siege to reduce the place, suffered the English commander to make good both the rally of his scattered force and the fortification of his position, and had done nothing when it was high time for him to be back in the Indies to guard the possessions of his own king against the English. A last assault (October 6th) failed and he withdrew.

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The next year a like disappointment was added. In midsummer a French fleet arrived upon the northern coast, but it proved impossible to use it. On the 10th of July a French squadron put in at Newport and landed a force of six thousand men under the Comte de Rochambeau; but a powerful British fleet presently blockaded the port, and Rochambeau could not prudently withdraw while the fleet was threatened. He had been ordered to put himself at General Washington's disposal; but he could not do so till the blockade was raised. Meanwhile not only Georgia but the entire South seemed lost and given over to British control. In the spring, Clinton had concentrated all his forces once more at New York; and then, leaving that all important place strong enough to keep Washington where he was, he had himself taken eight thousand men by sea to Charleston. Two thousand more troops, already in the South, joined him there, and by the 12th of May (1780) he had taken not only the place itself, but General Lincoln and three thousand men besides. South Carolina teemed with loyalists. Partisan bands, some serving one side, some the other, swept and harried the region from end to end. Wherever the British moved in force, they moved as they pleased, and were masters of the country. In June General Clinton deemed it already safe to take half his force back to New York, and Cornwallis was left to complete the work of subjugation.

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That same month the Congress conferred the chief command in the South upon General Horatio Gates, who had been in command of the army to which Burgoyne bad surrendered at Saratoga—the army which Schuyler had made ready and which Morgan and Arnold had victoriously handled. Intriguers had sought, while Washington lay at Valley Forge, to substitute Gates for the commander-in-chief; now he was to show how happy a circumstance it was that that selfish intrigue had failed. He met Cornwallis at Camden, in South Carolina, his own force three thousand men, Cornwallis's but two thousand, and was utterly, even shame fully, defeated (August 16, 1780). "We look on America as at our feet," said Horace Walpole, complacently, when the news had made its way over sea.

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And certainly it seemed as if that dark year brought nothing but disaster upon the Americans. It was now more evident than ever that they had no government worthy of the name. The Congress had no more authority now than it had had in 1774, when it was admitted to be nothing but a "Congress of the Committees of Correspondence"; and it was not now made up, as it had then been, of the first characters in America, the men of the greatest force and initiative in the patriotic party. It could advise, but it could not command; and the states, making their own expenditures, which seemed heavy enough, maintaining their own militia, guarding their own interests in the war, following their own leaders, often with open selfishness and indifference to the common cause, paid less and less heed to what it asked them to do. It could not raise money by taxation; it could raise very little by loan, having no legal power to make good its promises of repayment. Beaumarchais found to his heavy cost that it was next to impossible to recover the private moneys advanced through "Roderigue Hortalez et Cie." The troops upon whom Washington and his generals depended were paid in "continental" paper money, which, by 1780, had grown so worthless that a bushel of wheat could scarcely be had for a month's pay. Wholesale desertion began. Enlisted men by the score quit the demoralized camps. It was reckoned that as many as a full hundred a month went over to the enemy, if only to get food and shelter and clothing. Those who remained in the depleted ranks took what they needed from the farms about them, and grew sullen and mutinous. Promises of money and supplies proved as fruitless as promises of reinforcements from France.

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Even deliberate treason was added. Benedict Arnold, whom every soldier in the continental ranks deemed a hero because of the gallant things he had done at Quebec and Saratoga, and whom Washington had specially loved and trusted, entered into correspondence with the enemy, and plotted to give West Point and the posts dependent upon it into the hands of the British. Congress had been deeply unjust to him, promoting his juniors and inferiors and passing him over; a thousand slights had cut him; a thousand subtle forces of discouragement and of social temptation had been at work upon him, and he had yielded,—to pique, to bitter disappointment, to the disorders of a mind unstable, irritable, without nobility. His treason was discovered in time to be foiled, but the heart-breaking fact of it cut Washington to the quick, like a last and well nigh fatal stroke of bitter dismay. Who could be trusted now? and where was strength to be got wherewith to carry the languishing work to a worthy finish?

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It was the worst of all the bad signs of the times that no government could be agreed upon that would give the young states a real union, or assure them of harmony and cooperation in the exercise of the independence for which they were struggling. Definitive articles of confederation had been suggested as of course at the time the Declaration of Independence was adopted; and the next year (November 15,1777) the Congress had adopted the plan which Mr. Dickinson had drawn up and which its committee had reported July 12, 1776. But the states did not all accept it, and without unanimous adoption it could not go into operation. All except Delaware and Maryland accepted it before the close of 1778, and Delaware added her ratification in 1779; but Maryland still held out—waiting until the great states, like Virginia, should forego some part of their too great preponderance and advantage in the prospective partnership by transferring their claims to the great northwestern territories to the proposed government of the confederation; and her statesmanlike scruples still kept the country without a government throughout that all but hopeless year 1780.

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But the autumn showed a sudden turning of the tide. Cornwallis had ventured too far from his base of operations on the southern coast. He had gone deep into the country of the Carolinas, north of him, and was being beset almost as Burgoyne had been when he sought to cross the forests which lay about the upper waters of the Hudson. Gates had been promptly superseded after his disgraceful discomfiture and rout at Camden, and the most capable officers the long war had bred were now set to accomplish the task of forcing Cornwallis to a checkmate: Nathanael Greene, whose quality Washington had seen abundantly tested at Trenton and Princeton, at the Brandywine, at Germantown, and at Monmouth; the dashing Henry Lee, whom nature and the hard school of war had made a master of cavalry; the veteran and systematic Steuben; Morgan, who had won with Arnold in the fighting about Saratoga, and had kept his name unstained; and William Washington, a distant kinsman of the commander-in-chief, whom English soldiers were to remember with Lee as a master of light horsemen. The wide forests were full, too, of partisan bands, under leaders whom the British had found good reason to dread.

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The conquest of the back country of the Carolinas was always doing and to be done. The scattered settlements and lonely plantations were, indeed, full of men who cared little for the quarrel with the mother country and held to their old allegiance as of course, giving to the King's troops ready aid and welcome; and there were men there, as everywhere, who loved pillage and all lawless adventure, upon whom the stronger army could always count to go in its ranks upon an errand of subjugation; but there were also men who took their spirit and their principles from the new days that had come since the passage of the Stamp Act, and, though they were driven from their homes and left to shift for themselves for mere subsistence when the King's forces were afield, they came back again when the King's men were gone, and played the part, albeit without Indian allies, that the ousted Tories played in the forest country of New York. The English commanders at Savannah and Charleston had hit at last, nevertheless, upon effective means of holding, not their seaports merely, but the country itself. The forces they sent into the interior were made up, for the most part, of men recruited in America, and here under the command of officers fitted by school and temperament for their irregular duty of keeping a whole country-side in fearful discipline of submission. Many a formidable band of "Whigs" took the field against them, but were without a base of supplies, moved among men who spied upon them, and were no match in the long run for Tarleton and Ferguson,—Tarleton with his reckless, sudden onset and savage thoroughness of conquest, and Ferguson with his subtile gifts at once of mastery and of quiet judgment that made him capable of succeeding either as a soldier who compelled or as a gentleman who won men to go his way and do his will. South Carolina seemed once and again to lie almost quiet under these men.

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But Ferguson, for all he had the gifts of a soldier statesman, had gone too far. He had carried his persuasion of arms to the very foothills of the western mountains, and had sent his threats forward into the western country that lay beyond the passes of the mountains, where hardy frontiersmen of whom he knew almost nothing had so far kept their homes against the redmen without thought of turning to the east. His threats had angered and aroused them. They had put their riflemen from the back country of Carolina and Virginia into the saddle hundreds strong, had pushed league upon league through the passes of the mountains, from the far-off waters of the Holston and had surrounded and utterly overwhelmed him at King's Mountain (October 7, 1780). There he lost a thousand men and his own life. "A numerous army appeared on the frontier," reported Lord Rawdon, "drawn from Nolachucky and other settlements beyond the mountains, whose very names had been unknown to us." The hold of the British upon the inland settlements was of a sudden loosened, and Cornwallis had reason to know at once what a difference that made to him.

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Early in December came General Greene to take the place of Gates, and new difficulties faced the English commander. Greene kept no single force afield, to be met and checkmated, but sent one part of his little army towards the coast to cut Cornwallis's communications, and another southward against the inland posts and settlements where scattered garrisons lay between the commander-in-chief and his base at Charleston in the south. With the first detachment went Francis Marion, a man as formidable in strategy and sudden action as Ferguson, and the men who had attached themselves to him as if to modern Robin Hood. With the second went Daniel Morgan, a man made after the fashion of the redoubtable frontiersmen who had brought Ferguson his day of doom at King's Mountain. Tarleton was sent after Morgan with eleven hundred men, found him at the Cowpens (January 17, 1781), just within the border upon which King's Mountain lay, and came back a fugitive, with only two hundred and seventy men. Greene drew his forces together again, and at Guilford Court House Cornwallis beat him, out numbered though he was (March 15th). But to beat Greene, it seemed, was of no more avail than to beat General Washington. The country was no safer, the communications of the army were as seriously threatened, the defeated army was as steady and as well in hand after the battle as before; and the English withdrew to Wilmington, on the coast.

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It seemed a hazardous thing to take an army thence southward again, with supplies, through the forests where Greene moved; news came that General Arnold was in Virginia with a considerable body of Clinton's troops from New York, to anticipate what the southern commander had planned to do for the conquest of the Old Dominion when the Carolinas should have been "pacified" from end to end; and Cornwallis determined to move northward instead of southward, and join Arnold in Virginia. Greene moved a little way in his track, and then turned southward again against the garrisons of the inland posts. Lord Rawdon beat him at Hobkirk's Hill (April 25th) and held him off at Eutaw Springs (September 8th); but both times the English withdrew to save their communications; and, though the work was slow in the doing, before winter came again they were shut within the fortifications of Charleston and the country-sides were once more In American possession, to be purged of loyalist bands at leisure.

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In Virginia, Lord Cornwallis moved for a little while freely and safely enough; but only for a little while. Baron Steuben had been busy, winter and spring, raising recruits there for an army of defence; General Washington hurried the Marquis de Lafayette southward with twelve hundred light infantry from his own command; and by midsummer, 1781, Lafayette was at the British front with a force strong enough to make it prudent that Cornwallis should concentrate his strength and once more make sure of his base of supplies at the coast. His watchful opponents out manceuvred him, caught his forces once and again in detail, and made his outposts unsafe. By the first week in August he had withdrawn to the sea and had taken post behind intrenchments at Yorktown, something more than seven thousand strong.

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There, upon the peninsula which he deemed his safest coign of vantage, he was trapped and taken. At last the French were at hand. The Comte de Grasse, with twenty-eight ships of the line, six frigates, and twenty thousand men, was in the West Indies. Washington had begged him to come at once either to New York or to the Chesapeake. In August he sent word that he would come to the Chesapeake. Thereupon Washington once again moved with the sudden directness he had shown at Trenton and Princeton. Rochambeau was free now to lend him aid. With four thousand Frenchmen and two thousand of his own continentals, Washington marched all the long four hundred miles straightway to the York River, in Virginia. There he found Cornwallis, as he had hoped and expected, already penned between Grasse's fleet in the bay and Lafayette's trenches across the peninsula. His six thousand men, added to Lafayette's five thousand and the three thousand put ashore from the fleet, made short work enough of the siege, drawn closer and closer about the British; and by the 19th of October (1781) they accepted the inevitable and surrendered. The gallant Cornwallis himself could not withhold an expression of his admiration for the quick, consummate execution of the plans which had undone him, and avowed it with manly frankness to Washington. "But, after all," he cried, "your Excellency's achievements in New Jersey were such that nothing could surpass them." He liked the mastery by which he had been outplayed and taken.

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Here our general authorities are the same as for the period covered by the last chapter. But to these we now add Edward J. Lowell's The United States of America, 1775-7782, in the seventh volume of Winsor's Narrative and Critical History of America; John Jay's Peace Negotiations, 1782-1783, in the same volume of Winsor; G. W. Greene's Historical View of the American Revolution ; the second volume of W. B. Weeden's Economic and Social History of New England; P. O. Hutchinson's Life and Letters of Thomas Hutchinson ; Moses Coit Tyler's Literary History of the American Revolution; Lorenso Sabine's Biographical Sketches of Adherents to the British Crown ; George E. Ellis's The Loyalists and their Fortunes, in the seventh volume of Winsor; Edward E. Hale's Franklin in France ; George Ticknor Curtis's Constitutional History of the United States ; and William H. Trescot's Diplomacy of the American Revolution. Abundant references to authorities on the several campaigns of the revolutionary war may be found in Albert B. Hart and Edward Channing's Guide to American History, an invaluable manual.

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The sources for the period may be found in the contemporary pamphlets, speeches, and letters published at the time and since, among which may be mentioned, as of unusual individuality, Thomas Paine's celebrated pamphlet entitled Common Sense, the writings of Joseph Galloway, some of which are reproduced in Stedman and Hutchinson's Library of American Literature, and St. John de Crevecoeur's Letters from an American Farmer. Here again we rely, too, on the Journals of Congress and the Secret Journals of Congress; the Debates of Parliament ; Peter Force's American Archives ; Hezekiah Niles's Principles and Acts of the Revolution in America; The Annual Register; Jared Sparks's Correspondence of the American Revolution and Diplomatic Correspondence of the American Revolution; Francis Wharton's The Revolutionary Diplomatic Correspondence of the United States; Thomas Anburey's Travels through the Interior Parts of America (1776-1781); the Marquis de Chastellux's Travels in North America in the Years 1780, 1781, and 1872; and the Memoirs and Collections of the Historical Societies of the several original states.

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APPENDIX

ARTICLES OF CONFEDERATION

OF THE NEW ENGLAND COLONIES

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Betweene the plantations vnder the Gouernment of the Massachusetts, the Plantacons vnder the Gouernment of New Plymouth, the Plantacons vnder the Gouernment of Connectacutt, and the Gouernment of New Haven with the Plantacons in combinacon therewith

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WHEREAS wee all came into these parts of America with one and the same end and ayme, namely, to advaunce the kingdome of our Lord Jesus Christ, and to enjoy the liberties of the Gospell in puritie with peace. And whereas in our settleinge (by a wise Providence of God) we are further dispersed vpon the Sea Coasts and Riuers then was at first intended, so that we cannot according to our desire, with convenience communicate in one Gouernment and Jurisdiccon. And whereas we live encompassed with people of seuerall Nations and strang languages which heareafter may proue injurious to vs or our posteritie. And forasmuch as the Natives have formerly committed sondry insolences and outrages vpon seueral Plantacons of the English and have of late combined themselues against vs. And seing by reason of those sad Distraccons in England, which they have heard of, and by which they know we are hindred from that humble way of seekinge advise or reapeillg those comfortable fruits of protection which at other tymes we knight well expecte. Wee therefore doe conceiue it our bounden Dutye without delay to enter into a present consotiation amongst our selues for mutual help and strength in all our future concernements: That as in Nation and Religion, so in other Respects we bee and continue one according to the tenor and true meaninge of the ensuing Articles: Wherefore it is fully agreed and concluded by and betweene the parties or Jurisdiccons aboue named, and they joyntly and seuerally doe by these presents agreed and concluded that they all bee, and henceforth bee called by the Name of the United Colonies of New England.

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II. The said United Colonies, for themselues and their posterities, do joyntly and seuerally, hereby enter into a firme and perpetuall league of friendship and amytie, for offence and defence, mutuall advise and succour, vpon all just occations, both for preserueing and propagateing the truth and liberties of the Gospel, and for their owne mutuall safety and wellfare.

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III. It is futher agreed That the Plantacons which at present are or hereafter shall be settled within the limmetts of the Massachusetts, shalbe forever under the Massachusetts, and shall have peculiar Jurisdicon among themselves in all cases as all entire Body, and that Plymouth, Connecktacutt, and New Haven shall eich of them haue like peculier Jurisdiccon and Gouernment within their limmetts and in referrence to the Plantacons which already are settled or shall hereafter be erected or shall settle within their limmetts respectiuely; prouided that no other Jurisdiccon shall hereafter be taken in as a distinct head or member of this Confederacon, nor shall any other Plantacon or Jurisdiccon in present being and not already in combynacon or vnder the Jurisdiccon of any of these Confederats be received by any of them, nor shall any two of the Confederats joyne in one Jurisdiccon without consent of the rest, which consent to be interpreted as is expressed in the sixth Article ensuinge.

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IV. It is by these Confederats agreed that the charge of all just warrs, whether offensiue or defensiue, upon what part or member of this Confederaccon soever they fall, shall both in men and provisions, and all other Disbursements, be borne by all the parts of this Confederacon, in different proporcons according to their different abilitie, in manner following, namely, that the Commissioners for eich Jurisdiccon from tyme to tyme, as there shalbe occation, bring a true account and number of all the males in every Plantacon, or any way belonging to, or under their seuerall Jurisdiccons, of what quality or condicion soeuer they bee, from sixteene yeares old to threescore, being Inhabitants there. And That according to the different numbers which from tyme to tyme shalbe found in eich Jurisdiccon, upon a true and just account, the service of men and all charges of the warr be borne by the Poll: Eich Jurisdiccon, or Plantacon, being left to their owne just course and custome of rating themselues and people according to their different estates, with due respects to their qualites and exemptions among themselues, though the Confederacon take no notice of any such priviledg: And that according to their differrent charge of eich Jurisdiccon and Plantacon, the whole advantage of the warr (if it please God to bless their Endeavours) whether it be in lands, goods or persons, shall be proportionably deuided among the said Confederats.

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V. It is further agreed That if any of these Jurisdiccons, Or any Plantacons vnder it, Or in any combynacon with them be envaded by any enemie whomsoeuer, vpon notice and request of any three majestrats of that Jurisdiccon so invaded, the rest Of the Confederates, withoutany further meeting or expostulacon, shall forthwith send ayde to the Confederate in danger, but in different proporcons; namely, the Massachusetts an hundred men sufficiently armed and provided for such a service and jorney, and eich of the rest fourty-fiue so armed and provided, or any lesse number, if lesse be required, according to this proporcon. But if such Confederate in danger may be supplyed by their next Confederate, not exceeding the number hereby agreed, they may craue help there, and seeke no further for the present. The charge to be borne as in this Article is exprest: And, at the returne, to be victualled and supplyed with poder and shott for their journey (if there be neede) by that Jurisdiccon which employed or sent for them: But none of the Jurisdiccons to exceed these numbers till by a meeting of the Coinmissioners for this Confederacon a greater ayd appeare necessary. And this proporcon to continue, till upon knowledge of greater numbers in eich Jurisdiccon which shall)e brought to the next meeting some other proporcon be ordered. But in any such case of sending men for present ayd whether before or after such order or alteracon it is agreed that at the meeting of the Commissioners for this Confederacon, the cause of such warr or invasion be duly considered: And if it appeare that the fault lay in the parties so invaded, that then that Jurisdiccon or Plantacon make just Satisfaccon, both to the Invaders whom they have injured, and beare all the charges of the warr themselves without requireing any allowance from the rest of the Confederats towards the same. And further, that if any Jurisdiccon see any danger of any Invasion approacling, and there be tyme for a meeting, that in such case three inajestrats of that Jurisdiccon may summon a meeting at such convenyent place as themselues shall think meete, to consider and provide against the threatned danger, Provided when they are met they may remoue to what place they please, Onely whilst any of these foure Confederats have but three majestrats in their Jurisdiccon, their request or suinmons from any two of them shalbe accounted of equal force with the three mentoned in both the clauses of this Article, till there be an increase of majestrats there.

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VI. It is also agreed that for the mannaging and concluding of all affairs proper and concerneing the whole Confederacon, two Commissioners shalbe chosen by and out of eich of these foure jurisdiccons, namely, two for the Mattachusetts, two for Plymouth, two for Connectacutt and two for New Haven; being all in Church fellowship with us, which shall bring full power from their seuerall general Courts respectively to heare, examine, weigh and determine all affaires of our warr or peace, leagues, ayds, charges and numbers of men for warr, divission of spoyles and whatsoever is gotten by conquest, receiueing of more Confederats for plantacons into combinacon with any of the Confederates, and all thinges of like nature which are the proper concomitants or consequence of such a confederacon, for amytie, offence and defence, not interineddleing with the gouernment of any of the Jurisdiccons which by the third Article is preserued entirely to themselves. But if these eight Commissioners, when they meete, shall not all agree, yet it is concluded that any six of the eight agreeing shall have power to settle and determine the business in question: But if six do not agree, that then such proposicons with their reasons, so farr as they have beene debated, be sent and referred to the foure general Courts, vizt, the Mattachusetts, Plymouth, Connectacutt, and New Haven: And if at all the said General] Courts the businesse so referred be concluded, then to bee prosecuted by the Confederates and all their members. It is further agreed that these eight Commissioners shall meete once every yeare, besides extraordinary meetings (according to the fift Article) to consider, treate and conclude of all affaires belonging to this Confederacon, which meeting shall ever be the first Thursday in September. And that the next meeting after the date of these presents, which shalbe accounted the second meeting, shalbe at Bostone in the Massachusetts, the third at Hartford, the fourth at New Haven, the fift at Plymouth, the sixt and seaventh at Bostone. And then Hartford, New Haven and Plymouth, and so in course successiuely, if in the meane tyme some middle place be not found out and agreed on which may be commodious for all the jurisdiccons.

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VII. It is further agreed that at eich meeting of these eight Coinmissioners, whether ordinary or extraordinary, they, or six of them agreeing, as before, may choose their President out of themselues, whose office and worke shalbe to take care and direct for order and a comely carrying on of all proceedings in the present meeting. But he sha]be invested with no such power or respect as by which he shall hinder the propounding or progresse of any businesse, or any way cast the Scales, otherwise then in the precedent Article is agreed.

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VIII. It is also agreed that the Commissioners for this Confederacon hereafter at their meetings, whether ordinary or extraordinary, as they may have commission or opertunitie, do endeavoure to frame and establish agreements and orders in general cases of a civil nature wherein all the plantacons are interested for preserving peace among themselves, and preventing as much as may bee all occations of warr or difference with others, as about the free and speedy passage of Justice in every Jurisdiccon, to all the Confederats equally as their owne, receiving those that remoue from one plantacon to another without due certefycats; how all the Jurisdiccons may carry it towards the Indians, that they neither grow insolent nor be injured without due satisfaccion, lest warr break in vpon the Confederates through such miscarryage. It is also agreed that if any servant runn away from his master into any other of these confederated Jurisdiccons, That in such Case, vpon the Certyficate of one Majistrate in the Jurisdiccon out of which the said servant fled, or upon other due proofe, the said servant shalbe deliuered either to his Master or any other that pursues and brings such Certificate or proofe. And that vpon the escape of any prisoner whatsoever or fugitiue for any criminal cause, whether breaking prison or getting from the officer or otherwise escaping, upon the certificate of two Majistrats of the Jurisdiccon out of which the escape is made that he was a prisoner or such an offender at the tyme of the escape. The Majestrates or some of them of that Jurisdiccon where for the present the said prisoner or fugitive abideth shall forthwith graunt such a warrant as the case will beare for the apprehending of any such person, and the delivery of him into the hands of the officer or other person that pursues him. And if there be help required for the safe returneing of any such offender, then it shalbe graunted to him that craves the same, he paying the charges thereof.

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IX. And for that the justest warrs may be of dangerous consequence, espetially to the smaler plantacons in these vnited Colonies, It is agreed that neither the Massachusetts, Plymouth, Connectacutt nor New-Haven, nor any of the members of any of then, shall at any tyme hereafter begin, undertake, or engage themselues or this Confederacon, or any part thereof in any warr whatsoever (sudden exegents with the necessary consequents thereof excepted) which are also to be moderated as much as the case will permit) without the consent and agreement of the forenamed eight Commissioners, or at least six of them, as in the sixt Article is provided: And that no charge be required of any of the Confederats in case of a defensiue warr till the said Commissioners haue mett and approued the justice of the warr, and have agreed vpon the sum of money to be levved, which sum is then to be payd by the several Confederates in proporcon according to the fourth Article.

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X. That in extraordinary occations when meetings are summoned by three Majistrats of any Jurisdiccon, or two as in the fift Article, If any of the Commissioners come not, due wanleing being given or sent, It is agreed that foure of the Commissioners shall have power to direct a warr which cannot be delayed and to send for due proporcons of men out of eich Jurisdiccon, as well as six might doe if all mett; but not less than six shall determine the justice of the warr or allow the demanude of bills of charges or cause any levies to be made for the same.

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XI. It is further agreed that if any of the Confederates shall hereafter break any of these present Articles, or be any other wayes injurious to any one of thother Jurisdiccons, such breach of Agreement, or injurie, shalbe duly considered and ordered by the Commissioners for thother Jurisdiccons, that both peace and this present Confederacon may be entirely preserued without violation.

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XII. Lastly, this perpetual] Confederacon and the several Articles and Agreements thereof being read and seriously considered, both by the Generall Court for the Massachusetts, and by the Commissioners for Plymouth, Connectacutt and New Haven, were fully allowed and confirmed by three of the forenamed Confederates, namely, the Massachusetts, Connectacutt and New-Haven, Onely the Commissioners for Plymouth, having no Commission to conclude, desired respite till they might advise with their Generall Court, wherevpon it was agreed and concluded by the said court of the Massachusetts, and the Commissioners for the other two Confederates, That if Plymouth Consent, then the whole treaty as it stands in these present articles is and shall continue firme and stable without alteracon: But if Plymouth come not in, yet the other three Confederates doe by these presents confirme the whole Confederacon and all the Articles thereof, onely, in September next, when the second meeting of the Commissioners is to be at Bostone, new consideracon may be taken of the sixt Article, which concernes number of Commissioners for meeting and concluding the affaires of this Confederacon to the satisfaccon of the court of the Massachusetts, and the Commissioners for thother two Confederates, but the rest to stand vnquestioned.

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In testymony whereof, the Generall Court of the Massachusetts by their Secretary, and the Commissioners for Connectacutt and New-Haven haue subscribed these presente articles, this sixth of the third month, commonly called May, Anno Domini, 1643.

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At a Meeting of the Commissioners for the Confederacon, held at Boston, the Seaventh of September. It appeareing that the Generall Court of New Plymouth, and the several Towneships thereof have read, considered and approoued these articles of Confederacon, as appeareth by Comission from their General Court beareing Date the sixth of August, 1643, to Mr. Edward Winslowe and Mr. Will Collyer, to ratifye and confirme the same on their behalf, wee therefore, the Comissioners for the Mattachusetts, Conecktacutt and New Haven, doe also for our seueral Gouernments, subscribe vnto them.

JOHN WINTHROP, Governor of Massachusetts,

THO. DUDLEY,

THEOPH. EATON,

CEO. FENWICK,

EDWA. HOPKINS,

THOMAS GREGSON.

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PENN'S PLAN OF UNION—1697.

MR. PENN'S PLAN FOR A UNION OF THE COLONIES IN AMERICA.

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A BRIEFE and Plaine Scheam how the English Colonies in the North parts of America, viz.: Boston, Connecticut, Road Island, New York, New Jerseys, Pensilvania, Maryland, Virginia, and Carolina may be made more usefull to the Crowne, and one another's peace and safty with an universall concurrence.

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1st. That the several Colonies before mentioned do meet once a year, and oftener if need be, during the war, and at least once in two years in times of peace, by their stated and appointed Deputies, to debate and resolve of such measures as are most adviseable for their better understanding, and the public tranquility and safety.

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2d. That in order to it two persons well qualified for sence, sobriety and substance be appointed by each Province, as their Representatives or Deputies, which in the whole make the Congress to consist of twenty persons.

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3d. That the King's Commissioner for that purpose specially appointed shall have the chaire and preside in the said Congresse.

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4th. That they shall meet as near as conveniently may be to the most centrall Colony for use of the Deputies.

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5th. Since that may in all probability, be New York both because it is near the Center of the Colonies and for that it is a Frontier and in the King's nomination, the Govr. of that Colony may therefore also be the King's High Commissioner during the Session after the manner of Scotland.

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6th. That their business shall be to hear and adjust all matters of Complaint or difference between Province and Province. As, 1st, where persons quit their own Province and goe to another, that they may avoid their just debts, tho they be able to pay them, 2nd, where offenders fly Justice, or Justice cannot well be had upon such offenders in the Provinces that entertaine them, 3dly, to prevent or cure injuries in point of Commerce, 4th, to consider of ways and means to support the union and safety of these Provinces against the publick enemies. In which Congresse the Quotas of men and charges will be much easier, and more equally sett, then it is possible for any establishment made here to do; for the Provinces, knowing their own condition and one another's, can debate that matter with more freedome and satisfaction and better adjust and ballance their affairs in all respects for their common safty.

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7ly. That in times of war the King's High Commissioner shall be general] or chief Commander of the severall Quotas upon service against a common enemy as he shall be advised, for the good and benefit of the whole.

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FRANKLIN'S PLAN OF UNION—1754.

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PLAN of a proposed Union of the several Colonies of Massachusetts-Bay, New Hampshire, Connecticut, Rhode Island, New-York, New-Jersey, Pennsylvania, Maryland, Virginia, North Carolina, and South Carolina for their mutual Defence and Security, and for the extending the British Settlements in North America.

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That humble application be made for an act of Parliament of Great Britain, by virtue of which one general government may be formed in America, including all the said Colonies, within and under which government each Colony may retain its present constitution, except in the particulars wherein a change may be directed by the said act, as herb after follows.

PRESIDENT-GENERAL AND GRAND COUNCIL.

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That the said general government be administered by a President-General, to be appointed and supported by the crown; and a Grand Council to be chosen by the representatives of the people of the several Colonies met in their respective assemblies.

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It was thought that it would be best the President-General should be supported as well as appointed by the crown, that so all disputes between him and the Grand-Council concerning his salary might he prevented ; as such disputes have been frequently of mischievous consequence in particular Colonies, especially in time of public danger. The quitrents of crown lands in America might in a short time be sufficient for this purpose. The choice of members for the Grand-Council is placed in the House of Representatives of each government, in order to give the people a share in this new general government, as the crown has its share by the appointment of the President-General.

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But it being proposed by the gentlemen of the Council of New York, and some other counsel]ors among the commissioners, to alter the plan in this particular, and to give the governors and councils of the several Provinces a share in the choice of the Grand Council, or at least a power of approving and confirming, or of disallowing, the choice made by the House of Representatives, it was said,-That the government or constitution, proposed to he formed by the plan, consists of two branches: a President General appointed by the crown, and a Council chosen by the people, or by the people's representatives, which is the same thing.

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"That, by a subsequent article, the council chosen by the people can effect nothing without the consent of the President-General appointed by the crown; the crown possesses, therefore, full one half of the power of this constitution.

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"That in the British constitution, the crown is supposed to possess but one third, the Lords having their share.

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"That the constitution seemed rather more favorable for the crown.

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"That it is essential to English liberty that the subject should not be taxed but by his own consent, or the consent of his elected representatives.

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"That taxes to be laid and levied by this proposed constitution will be proposed and agreed to by the representatives of the people, if the plan in this particular be preserved.

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"But if the proposed alteration should take place, it seemed as if matters may be so managed, as that the crown shall finally have the appointment, not only of the President-General, but of a majority of the Grand-Council; for seven out of eleven governors and councils are appointed by the crown.

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"And so the people in all the Colonies would in effect be taxed by[heir governors.

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"It was therefore apprehended, that such alterations of the plan would give great dissatisfaction, and that the Colonies could not be easy under such a power in governors, and such an infringement of what they take to be English liberty.

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"Besides, the giving a share in the choice of the Grand Council would not be equal with respect to all the Colonies, as their constitutions differ. In some, both governor and council are appointed by the crown. In others, they are both appointed by the proprietors. In some, the people have a share in the choice of the council; in others, both government and council are wholly chosen by the people. But the House of Representatives is everywhere chosen by the people; and, therefore, placing the right of choosing the Grand Council in the representatives is equal with respect to all.

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"That the Grand Council is intended to represent all the several Houses of Representatives of the Colonies, as a House of Representatives doth the several towns or counties of a Colony. Could all the people of a Colony be consulted and unite in public measures, a House of Representatives would be needless, and could all the Assemblies consult and unite in general measures, the Grand Council would be unnecessary.

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"That a House of Commons or the House of Representatives, and the Grand Council are alike in their nature and intention. And, as it would seem improper that the King or House of Lords should have a power of disallowing or appointing Members of the House of Commons; so, likewise, that a governor and council appointed by the crown should have a power of disallowing or appointing members of the Grand Council, who, in this constitution, are to be the representatives of the people.

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"If the governor and councils therefore were to have a share in the choice of any that are to conduct this general government, it should seem more proper that they should choose the President General. But this being an office of great trust and importance to the nation, it was thought better to be filled by the immediate appointment of the crown.

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"The power proposed to be given by the plan to the Grand Council is only a concentration of the powers of the several assemblies in certain points for the general welfare; as the power of the President General is of the several governors in the same point.

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"And as the choice therefore of the Grand Council, by the red resentatives of the people, neither gives the people any new powers, nor diminishes the power of the crown, it was thought and hoped the crown would not disapprove of it."

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Upon the whole, the commissioners were of opinion, that the choice was most properly placed in the representatives of the people.

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ELECTION OF MEMBERS.

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That within months after the passing such act, the House of Representatives that happens to be sitting within that time, or that shall be especially for that purpose convened, may and shall choose members for the Grand Council, in the following proportion, that is to say,

Massachusetts Bay 7

New Hampshire 2

Connecticut 5

Rhode Island 2

New York 4

New Jersey 3

Pennsylvania 6

Maryland 4

Virginia 7

North Carolina 4

South Carolina 4

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It was thought, that if the least Colony was allowed two, and the others in proportion, the number would be very great, and the expense heavy; and that less than two would not be convenient, as, a single person being by any accident prevented appearing at the meeting, the Colony he ought appear for would not be represented. That, as the choice was not immediately popular, they would be generally men of good abilities for business, and men of reputation for integrity, and that fortyeight such men might be a number sufficient. But, though it was thought reasonable that each Colony should have a share in the representative body in some degree according to the proportion it contributed to the general treasury, yet the proportion of wealth or power of the Colonies is not to be judged by the proportion here fixed: because it was at first agreed, that the greatest Colony should not have more than seven members, nor the least less than two; and the setting these proportions between these two extremes was not nicely attended to, as it would find itself, after the first election, from the sum brought into the treasury by a subsequent article.

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PLACE OF FIRST MEETING.

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—Who shall meet for the first time at the city of Philadelphia in Pennsylvania, being called by the President-General as soon as conveniently may be after his appointment.

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Philadelphia was named as being nearer the centre of the Colonies, where the conmmissioners would be well and cheaply accommodated. The high roads, through the whole extent, are for the most part very good, in which forty or fifty miles a day may very well be, and frequently are, travelled. Great part of the way may likewise be gone by water. In summer time, the passages are frequently performed in a week from Charleston to Philadelphia and New York, and from Rhode Island to New York through the Sound, in two or three days, and from New York to Philadelphia, by water and land, in two days, by stage boats, and street carriages that set out every other day. The journey from Charleston to Philadelphia may likewise be facilitated by boats running up Chesapeake Bay three hundred miles. But if the whole journey be performed on horseback, the most distant members, viz., the two from New Hampshire and from South Carolina, may probably render themselves at Philadelphia in fifteen or twenty days; the majority may be there in much less time.

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NEW ELECTION.

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That there shall be a new election of the members of the Grand Council every three years; and, on the death or resignation of any member, his place should be supplied by a new choice at the next sitting of the Assembly of the Colony he represented.

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Some Colonies have annual assemblies, some continue during a governor's pleasure; three years was thought a reasonable medium as affording a new member time to improve himself in the business, and to act after such improvement, and yet giving opportunities, frequently enough, to change him if he has misbehaved.

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PROPORTION OF MEMBERS AFTER THE FIRST THREE YEARS.

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That after the first three years, when the proportion of money arising out of each Colony to the general treasury can be known, the number of members to be chosen for each Colony shall, from time to time, in all ensuing elections, be regulated by that proportion, yet so as that the number to be chosen by any one Province be not more than seven, nor less than two.

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By a subsequent article, it is proposed that the General Council shall lay and levy such general duties as to them may appear most equal and least burdensome, etc. Suppose, for instance, they lay a small duty or excise on some commodity imported into or made in the Colonies, and pretty generally and equally used in all of them, as rum, perhaps, or wine; the yearly produce of this duty or excise, if fairly collected, would be in some Colonies greater, in others less, as the Colonies are greater or smaller. When the collector's accounts are brought in, the proportions will appear; and from them it is proposed to regulate the proportion of the red resentatives to be chosen at the next general election, within the limits, however, of seven and two. These numbers may therefore vary in the course of years, as the Colonies may in the growth and increase of people. And thus the quota of tax from each Colony would naturally vary with its circumstances, thereby preventing all disputes and dissatisfaction about the just proportions due from each, which might otherwise produce penicious consequences, and destroy the harmony and good agreement that ought to subsist between the several parts of the Union.

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MEETINGS OF THE GRAND COUNCIL AND CALL.

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That the Grand Council shall meet once in every year, and oftener if occasion require, at such time and place as they shall adjourn to at the last preceding meeting, or as they shall be called to meet at by the President-General on any emergency; he having first obtained in writing the consent of seven of the members to such call, and sent due and timely notice to the whole.

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It was thought, in establishing and governing new Colonies or settlements, or regulating Indian trade, Indian treaties, etc., there would, every year, sufficient business arise to require at least one meeting, and at such meeting many things might be suggested for the benefit of all the Colonies. This annual meeting may either be at a time and place certain, to be fixed by the President General and Grand Council at their first meeting; or left at liberty, to be at such time and place as they shall adjourn to, or be called to meet at, by the President-General.

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In time of war, it seems convenient that the meeting should be in that colony which is nearest the seat of action.

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The power of calling them on any emergency seemed necessary to be vested in the President-General; but, that such power might not be wantonly used to harass the members, and oblige them to make frequent long journeys to little purpose, the consent of seven at least to such call was supposed a convenient guard.

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CONTINUANCE.

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That the Grand Council have power to choose their speaker; and shall neither be dissolved, prorogued, nor continued sitting longer than six weeks at one time, without their own consent or the special command of the crown.

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The speaker should be presented for approbation; it being convenient, to prevent misunderstandings and disgusts, that the mouth of the Council should be a person agreeable, if possible, to the Council and President-General.

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Governors have sometimes wantonly exercised the power of proroguing or continuing the sessions of assemblies, merely to harass the members and compel a compliance; and sometimes dissolve then, on slight disgusts. This it was feared might be done by the President-General, if not provided against; and the inconvenience and hardship would be greater in the general government than in particular Colonies, in proportion to the distance the members must be from home during sittings, and the long journeys some of them must necessarily take.

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MEMBERS' ALLOWANCE.

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That the members of the Grand Council shall be allowed for their service ten shiblings per diem, during their session and journey to and from the place of meeting; twenty miles to be reckoned a day's journey.

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It was thought proper to allow some wages, lest the expense might deter some suitable persons from the service; and not to allow too great wages, lest unsuitable persons should be tempted to cabal for the employment, for the sake of gain. Twenty miles were set down as a day's journey, to allow for accidental hindrances on the road, and the greater expenses of travelling than residing at the place of meeting.

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ASSENT OF PRESIDENT-GENERAL AND HIS DUTY.

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That the assent of the President-Genera] be requisite to a]] acts of the Grand Council, and that it be his office and duty to cause them to be carried into execution.

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The assent of the President-General to all acts of the Grand Council was made necessary in order to give the crown its due share of influence in this government, and connect it with chat of' Great Britain. The President-General, besides one half of the legislative power, hath in his hands the whole executive power.

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POWER OF PRESIDENT-GENERAL AND GRAND COUNCIL,

TREATIES OF PEACE AND WAR.

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That the President-General, with the advice of the Grand Council, hold or direct all Indian treaties, in which the general interest of the Colonies may be concerned, and make peace or dec]are war with Indian nations.

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The power of making peace or war with Indian nations is at present supposed to be in every Colony, and is expressly granted to some by charter, so that no new power is hereby intended to be granted to the Colonies. But as, in consequence of this power, one Colony might make peace with a nation that another was justly engaged in war with; or make war on slight occasion without the concurrence or approbation of neighboring Colonies, greatly endangered by it; or make particular treaties of neutrality in case of a general war, to their own private advantage in trade, by supplying the common enemy, of all which there have been instances, it was thought better to have all treaties of a general nature under a general direction, that so the good of the whole may be consulted and provided for.

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INDIAN TRADE.

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That they make such laws as they judge necessary for regulating a]] Indian trade.

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Many quarrels and wars have arisen between the colonies and Indian nations, through the bad conduct of traders, who cheat the Indians after making them drunk, etc., to the great expense of the colonies, both in blood and treasure. Particular colonies are so interested in the trade, as not to be willing to admit such a regulation as might be best for the whole; and therefore it was thought best under a general direction.

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INDIAN PURCHASES.

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That they make all purchases from Indians, for the crown, of lands not now within the bounds of particular colonies, or that shall not be within their bounds when some of them are reduced to more convenient dimensions.

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Purchases from the Indians, made by private persons, have been attended with many inconveniences. They have frequently interfered and occasioned uncertainty of titles, many disputes and expensive lawsuits, and hindered the settlement of the land so disputed. Then the Indians have been cheated by such private purchases, and discontent and wars have been the consequence. These would be prevented by public fair purchases.

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Several of the Colony charters in America extend their bounds to the South Sea, which may perhaps be three or four thousand miles in length to one or two thundred miles in breadth. It is supposed they must in time be reduced to dimensions more convenient for the common purposes of government.

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Very little of the land in these grants is yet purchased of the Indians.

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It is much cheaper to purchase of them, than to take and maintain the possession by force; for they are generally very reasonable in their demands for land; and the expense of guarding a large frontier against their incursions is vastly great; because all must be guarded, and always guarded, as we know not where or when to expect them.

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NEW SETTLEMENTS.

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That they make new settlements on such purchases by granting lands in the King's name, reserving a quit-rent to the crown for the use of the general treasury.

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It is supposed better that there should be one purchaser than many; and that the crown should be that purchaser, or the Union in the name of the crown. By this means the bargains may be more easily made, the price not enhanced by numerous bidders, future disputes about private Indian purchases, and monopolies of vast tracts to particular persons (which are prejudicial to the settlement and peopling of the country), prevented; and, the land being again granted in small tracts to the settlers, the quit-rents reserved may in time become a fund for support of government, for defence of the country, ease of taxes, etc.

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Strong forts on the Lakes, the Ohio, etc., may, at the same time they secure our present frontiers, serve to defend new colonies settled under their protection; and such colonies would also mutually defend and support such forts, and better secure the friendship of the far Indians.

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A particular colony has scarce strength enough to exert itself by new settlements, at so great a distance from the old; but the joint force of the Union might suddenly establish a new colony or two in those parts, or extend an old colony to particular passes, greatly to the security of our present frontiers, increase of trade and people, breaking off the French communication between Canada and Louisiana, and speedy settlement of the intermediate lands.

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The power of settling new colonies is therefore thought a valuable part of the plan, and what cannot so well be executed by two unions as by one.

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LAWS TO GOVERN THEM.

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That they make laws for regulating and governing such new settlements, till the crown shall think fit to form them into particular governments.

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The making of laws suitable for the new colonies, it was thought, would be properly vested in the president-general and grand council; under whose protection they must at first necessarily be, and who would be well acquainted with their circumstances, as having settled them. When they are become sufficiently populous, they may by the crown be formed into complete and distinct governments.

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The appointment of a sub-president by the crown, to take place in case of the death or absence of the president-general, would perhaps be an improvement of the plan; and if all the governors of particular provinces were to be formed into a standing council of state, for the advice and assistance of the president-general, it might be another considerable improvement.

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RAISE SOLDIERS, AND EQUIP VESSELS, ETC.

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That they raise and pay soldiers and build forts for the defence of any of the colonies, and equip vessels of force to guard the coasts and protect the trade on the ocean, lakes, or great rivers; but they shall not impress men in any colony, without the consent of the legislature.

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It was thought, that quotas of men, to be raised and paid by the several colonies, and joined for any public service, could not always be got together with the necessary expedition. For instance, suppose one thousand men should be wanted in New Hampshire on any emergency. To fetch them by fifties and hundreds out of every colony, as far as South Carolina, would be inconvenient, the transportation chargeable, and the occasion perhaps passed before they could be assembled; and therefore it would be best to raise them (by offering bounty money and pay) near the place where they would be wanted, to be discharged again when the service should be over.

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Particular colonies are at present backward to build forts at their own expense, which they say will be equally useful to their neighboring colonies, who refuse to join, on a presumption that such forts will be built and kept up, though they contribute nothing. This unjust conduct weakens the whole; but, the forts being for the good of the whole, it was thought best they should be built and maintained by the whole, out of the common treasury.

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In the time of war, small vessels of force are sometimes necessary in the colonies to scour the coasts of small privateers. These being provided by the Union will be an advantage in turn to the colonies which are situated on the sea, and whose frontiers on the land-side, being covered by other colonies, reap but little immediate benefit from the advanced forts.

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POWER TO MAKE LAWS, LAY DUTIES, ETC.

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That for these purposes they have power to make laws and lay and levy such general duties, imposts or taxes, as to them shall appear most equal and just (considering the ability and other circumstances of the inhabitants in the several colonies), and such as may be collected with the least inconvenience to the people; rather discouraging luxury, than loading industry with unnecessary burdens.

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The laws which the president-general and grand council are empowered to make are such only as shall be necessary for the government of the settlements; the raising, regulating, and paying soldiers for the general service; the regulating of Indian trade; and laying and collecting the general duties and taxes. They should also have a power to restrain the exportation of provisions to the enemy from any of the colonies, on particular occasions, in time of war. But it is not intended that they may interfere with the constitution or government of the particular colonies, who are to be left to their own laws, and to lay, levy and apply their own taxes as before.

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GENERAL TREASURER AND PARTICULAR TREASURER.

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That they may appoint a General Treasurer, and Particular Treasurer in government when necessary; and, from time to time, may order the suins in the treasuries of each government into the general treasury, or draw on them for special payments, as they find most convenient.

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The treasurers here meant are only for the general funds and not for the particular funds of each colony, which remain in the hands of their own treasurers at their own disposal.

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MONEY, HOW TO ISSUE.

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Yet no money to issue but by joint orders of the President-General and Grand Council, except where sums have been appointed to particular purposes, and the President- General is previously empowered by an act to draw such sums.

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To prevent misapplication of the money, or even application that might be dissatisfactory to the crown or the people, it was thought necessary to join the president-general and grand council in all issues of money.

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ACCOUNTS.

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That the general accounts shall be yearly settled and reported to the several Assemblies.

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By communicating the accounts yearly to each Assembly, they will be satisfied of the prudent and honest conduct of their representatives in the grand council.

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QUORUM.

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That a quorum of the Grand Council, empowered to act with the President-General, do consist of twenty-five members; among whom there shall be one or more from a majority of the Colonies.

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The quorum seems large, but it was thought it would not be satisfactory to the colonies in general, to have matters of importance 13 the whole transacted by a smaller number, or even by this number of twenty-five, unless there were among them one at least from a majority of the colonies, because otherwise, the whole quorum being made up of members from three or four coloiries at one end of the union, something might be done that would not be equal with respect to the rest, and thence dissatisfaction and discords might rise to the prejudice of the whole.

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LAWS TO BE TRANSMITTED.

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That the laws made by them for the purposes aforesaid shall not be repugnant, but, as near as may be, agreeable to the laws of England, and shall be transmitted to the King in Council for approbation, as soon as may be after their passing; and if not disapproved within three years after presentation, to remain in force.

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This was thought necessary for the satisfaction of the crown, to preserve the connection of the parts of the British empire with the whole, of the members with the head, and to induce greater care and circumspection in making of the laws, that they be good in themselves and for the general benefit.

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DEATH OF THE PRESIDENT-GENERAL.

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That, in case of the death of the President-General, the Speaker of the Grand Council for the time being shall succeed, and be vested with the same powers and authorities, to continue till the King's pleasure be known.

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It might be better, perhaps, as was said before, if the crown appointed a vice-president, to take place on the death or absence of the president-general; for so we should be more sure of a suitable person at the head of the colonies. On the death or absence of both, the speaker to take place (or rather the eldest King's governor) till his Majesty's pleasure be known.

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OFFICERS, HOW APPOINTED.

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That all military commission officers, whether for land or sea service, to act under this general constitution, shall be nominated by the President-General; but the approbation of the Grand Council is to be obtained, before they receive their commissions. And all civil officers are to be nominated by the Grand Council, and to receive the President-General's approbation before they officiate.

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It was thought it might be very prejudicial to the service, to have officers appointed unknown to the people or unacceptable, the generality of Americans serving willingly under officers they know; and not caring to engage in the service under strangers, or such as are often appointed by governors through favor or interest. The service here meant, is not the stated, settled service in standing troops; but any sudden and short service, either for defence of our colonies, or invading the enemy's country (such as the expedition to Cape Breton in the last war; in which many substantial farmers and tradesmen engaged as common soldiers, under officers of their own country, for whom they had an esteem and affection; who would not have engaged in a standing army, or under officers from England). It was therefore thought best to give the Council the power of approving the officers, which the people will look on as a great security of their being good men. And without some such provision as this, it was thought the expense of engaging men in the service on any emergency would be much greater, and the number who could be induced to engage much less; and that therefore it would be most for the King's service and the general benefit of the nation, that the prerogative should relax a little in this particular throughout all the colonies in America; as it had already done much more in the charters of some particular colonies, viz.: Connecticut and Rhode Island.

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The civil officers will be chiefly treasurers and collectors of taxes and the suitable persons are most likely to be known by the council.

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VACANCIES, HOW SUPPLIED.

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But, in case of vacancy by death or removal of any officer civil or military, under this constitution, the Governor of the province in which such vacancy happens, may appoint, till the pleasure of the President-General and Grand Council can be known.

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The vacancies were thought best supplied by the governors in each province, till a new appointment can be regularly made; otherwise the service might suffer before the meeting of the president-general and grand council.

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EACH COLONY MAY DEFEND ITSELF IN EMERGENCY, ETC.

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That the particular military as well as civil establishments in each colony remain in their present state, the general constitution notwithstanding; and that on sudden emergencies any colony may defend itself, and lay the accounts of expense thence arising before the president-general and general council, who may allow and order payment of the same, as far as they judge such accounts just and reasonable.

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Otherwise the union of the whole would weaken the parts, contrary to the design of the union. The accounts are to be judged of by the president-general and grand council, and allowed if found reasonable. This was thought necessary to encourage colonies to defend themselves, as the expense would be light when borne by the whole; and also to check imprudent and lavish expense in such defences

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ARTICLES OF CONFEDERATION—1777.

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To all to whom these Presents shall come, we the undersigned Delegates of the States affixed to our Names, send greeting.

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WHEREAS the Delegates of the United States of America in Congress assembled did on the fifteenth day of November in the Year of our Lord One Thousand Seven Hundred and Seventyseven, and in the Second Year of the Independence of America agree to certain articles of Confederation and perpetual Union between the States of Newhampshire, Massachusetts bay, Rhode island and Providence Plantations, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North - Carolina, South-Carolina and Georgia in the Words following, viz.

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Articles of Confederation and perpetual Union between the States of Newhampshire, Massachusetts-bay, Rhode-island and Providence Plantations, Connecticut, New-York, New-Jersey, Pennsylvania, Delaware, Maryland, Virginia, North-Carolina, South-Carolina and Georgia.

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ARTICLE I. The stile of this confederacy shall be "The United States of America."

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ARTICLE II. Each State retains its sovereignty, freedom and independence, and every power, jurisdiction and right, which is not by this confederation expressly delegated to the United States, in Congress assembled.

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ARTICLE III. The said States hereby severally enter into a firm league of friendship with each other, for their common defence, the security of their liberties, and their mutual and general welfare, binding themselves to assist each other, against all force offered to, or attacks made upon them, or any of them, on account of religion, sovereignty, trade, or any other pretence whatever.

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ARTICLE IV. The better to secure and perpetuate mutual friendship and intercourse among the people of the different States in this Union, the free inhabitants of each of these States, paupers, vagabonds and fugitives from justice excepted, shall be entitled to all privileges and immunities of free citizens in the several States; and the people of each State shall have free ingress and regress to and from any other State, and shall enjoy therein all the privileges of trade and commerce, subject to the same duties, impositions and restrictions as the inhabitants thereof respectively, provided that such restrictions shall not extend so far as to prevent the removal of property imported into any State, to any other State of which the owner is an inhabitant; provided also that no imposition, duties or restriction shall be laid by any State, on the property of the United States, or either of them.

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If any person guilty of, or charged with treason, felony, or other high misdemeanor in any State, shall flee from justice, and be found in any of the United States, he shall upon demand of the Governor or Executive power, of the State from which he fled, be delivered up and removed to the State having jurisdiction of his offence.

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Full faith and credit shall be given in each of these States to the records, acts and judicial proceedings of the courts and magistrates of every other State.

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ARTICLE V. For the more convenient management of the general interests of the United States, delegates shall be annually appointed in such manner as the legislature of each State shall direct, to meet in Congress on the first Monday in November, in every year, with a power reserved to each State, to recall its delegates, or any of them, at any time within the year, and to send others in their stead, for the remainder of the year.

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No State shall be represented in Congress by less than two, nor by more than seven members; and no person shall be capable of being a delegate for more than three years in any term of six years; nor shall any person, being a delegate, be capable of holding any office under the United States, for which he, or another for his benefit receives any salary, fees or emolument of any kind.

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Each State shall maintain its own delegates in a meeting of the States, and while they act as members of the committee of the States.

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In determining questions in the United States, in Congress assembled, each State shall have one vote.

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Freedom of speech and debate in Congress shall not be impeached or questioned in any court, or place out of Congress, and the members of Congress shall be protected in their persons from arrests and imprisonments, during the time of their going to and from, and attendance on Congress, except for treason, felony, or breach of the peace.

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ARTICLE VI. No State without the consent of the United States in Congress assembled, shall send any embassy to, or receive any embassy from, or enter into any conferrence, agreement, alliance or treaty with any king prince or state; nor shall any person holding any office of profit or trust under the United States, or any of them, accept of any present, emolument, office or title of any kind whatever from any king, prince or foreign state; nor shall the United States in Congress assembled, or any of them, grant any title of nobility.

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No two or more States shall enter into any treaty, confederation or alliance whatever between them, without the consent of the United States in Congress assembled, specifying accurately the purposes for which the same is to be entered into, and how long it shall continue.

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No State shall lay any imposts or duties, which may interfere with any stipulations in treaties, entered into by the United States in Congress assembled, with any king, prince or state, in pursuance of any treaties already proposed by Congress, to the courts of France and Spain.

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No vessels of war shall be kept up in time of peace by any State, except such number only, as shall be deemed necessary by the United States in Congress assembled, for the defence of such State, or its trade; nor shall any body of forces be kept up by any State, in time of peace, except such number only, as in the judgment of the United States, in Congress assembled, shall be deemed requisite to garrison the forts necessary for the defence of such State; but every State shall always keep up a well regulated and disciplined militia, sufficiently armed and accoutred, and shall provide and constantly have ready for use, in public stores, a due number of field pieces and tents, and a proper quantity of arms, ammunition and camp equipage.

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No State shall engage in any war without the consent of the United States in Congress assembled, unless such State be actually invaded by enemies, or shall have recerved certain advice of a resolution being formed by some nation of Indians to invade such State, and the danger is so imminent as not to admit of a delay, till the United States in Congress assembled can be consulted: nor shall any State grant commissions to any ships or vessels of war, nor letters of marque or reprisal, except it be after a declaration of war by the United States in Congress assembled, and then only against the kingdom or state and the subjects thereof, against which war has been so declared, and under such regulations as shall be established by the United States in Congress assembled, unless such State be infested by pirates, in which case vessels of war may be fitted out for that occasion, and kept so long as the danger shall continue, or until the United States in Congress assembled shall determine otherwise.

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ARTICLE VII. When land-forces are raised by any State for the common defence, all officers of or under the rank of colonel, shall be appointed by the Legislature of each State respectively by whom such forces shall be raised, or in such manner as such State shall direct, and all vacancies shall be filled up by the State which first made the appointment.

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ARTICLE VIII. All charges of war, and all other expenses that shall be incurred for the common defence or general welfare, and allowed by the United States in Congress assembled, shall be defrayed out of a common treasury, which shall be supplied by the several States, in proportion to the value of all land within each State, granted to or surveyed for any person, as such land and the buildings and improvements thereon shall be estimated according to such mode as the United States in Congress assembled, shall from time to time direct and appoint.

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The taxes for paying that proportion shall be laid and levied by the authority and direction of the Legislatures of the several States within the time agreed upon by the United States in Congress assembled.

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ARTICLE IX. The United States in Congress assembled, shall have the sole and exclusive right and power of determining on peace and war, except in the cases mentioned in the sixth article—of sending and receiving ambassadors—entering into treaties and alliances, provided that no treaty of commerce shall be made whereby the legislative power of the respective States shall be restrained from imposing such imposts and duties on foreigners, as their own people are subjected to, or from prohibiting the exportation or importation of any species of goods or commodities whatsoever—of establishing rules for deciding in all cases, what captures on land or water shall be legal, and in what manner prizes taken by land or naval forces in the service of the United States shall be divided or appropriated of—granting letters of marque and reprisal in times of peace—appointing courts for the trial of piracies and felonies committed on the high seas and establishing courts for receiving and determining finally appeals in all cases of captures, provided that no member of Congress shall be appointed a judge of any of the said courts.

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The United States in Congress assembled shall also be the last resort on appeal in all disputes and differences now subsisting or that hereafter may arise between two or more States concerning boundary, jurisdiction or any other cause whatever; which authority shall always be exercised in the manner following. Whenever the legislative or executive authority or lawful agent of any State in controversy with another shall present a petition to Congress, stating the matter in question and praying for a hearing, notice thereof shall be given by order of Congress to the legislative or executive authority of the other State in controversy, and a day assigned for the appearance of the parties by their lawful agents, who shall then be directed to appoint by joint consent, commissioners or judges to constitute a court for hearing and determining the matter in question: but if they cannot agree, Congress shall name three persons out of each of the United States, and from the list of such persons each party shall alternately strike out one, the petitioners beginning, until the number shall be reduced to thirteen; and from that number not less than seven, nor more than nine names as Congress shall direct, shall in the presence of Congress be drawn out by lot, and the persons whose names shall be so drawn or any five of them, shall be commissioners or judges, to hear and finally determine the controversy, so always as a major part of the judges who shall hear the cause shall agree in the determination: and if either party shall neglect to attend at the day appointed, without showing reasons, which Congress shall judge sufficient, or being present shall refuse to strike, the Congress shall proceed to nominate three persons out of each State, and the Secretary of Congress shall strike in behalf of such party absent or refusing; and the judgment and sentence of the court to be appointed, in the manner before prescribed, shall be final and conclusive; and if any of the parties shall refuse to submit to the authority of such court, or to appear or defend their claim or cause, the court shall nevertheless proceed to pronounce sentence, or judgment, which shall in like manner be final and decisive, the judgment or sentence and other proceedings being in either case transmitted to Congress, and lodged among the acts of Congress for the security of the parties concerned: provided that every commissioner, before he sits in judgment, shall take an oath to be administered by one of the judges of the supreme or superior court of the State where the cause shall be tried, "well and truly to hear and determine the matter in question, according to the best of his judgment, without favour, affection or hope of reward:" provided also that no State shall be deprived of territory for the benefit of the United States.

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All controversies concerning the private right of soil claimed under different grants of two or more States, whose jurisdiction as they may respect such lands, and the States which passed such grants are adjusted, the said grants or either of them being at the same time claimed to have originated antecedent to such settlement of jurisdiction, shall on the petition of either party to the Congress of the United States, be finally determined as near as may be in the came manner as is before prescribed for deciding disputes respecting territorial jurisdiction between different States.

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The United States in Congress assembled shall also have the sole and exclusive right and power of regulating the alloy and value of coin struck by their own authority, or by that of the respective States—fixing the standard of weights and measures throughout the United States—regulating the trade and managing all affairs with the Indians, not members of any of the States, provided that the legislative right of any State within its own limits be not infringed or violated—establishing and regulating post-offices from one State to another, throughout all the United States, and exacting such postage on the papers passing thro' the same as may be requisite to defray the expenses of the said office appointing all officers of the land forces, in the service of the United States, excepting regimental officers—appointing all the officers of the naval forces, and commissioning all officers whatever in the service of the United States—making rules for the government and regtilation of fire said land and naval forces, and directing their operations.

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The United States in Congress assembled shall have authority to appoint a committee, to sit in the recess of Congress, to be denominated "a Committee of the States," and to consist of one delegate from eaclr State; and to appoint such other committees and civil officers as may be necessary for managing the general affairs of the United States under their direction,—to appoint one of their number to preside, provided that no person be allowed to serve in the office of president more than one year in any term of three years; to ascertain the necessary surplus of money to be raised for the service of the United States, and to appropriate and apply the same for defraying the public expenses—to borrow money, or emmit bills of the credit of the United States, transmitting every half year to the respective States an account of the Sinins of money so borrowed or emitted,—to build and equip a navy—to agree upon the number of land forces, and to make requisitions from each State for its quota, in proportion to the number of white inhabitants in such State; which requisition shall be binding, and thereupon the Legislature of each State shall appoint the regimental officers, raise the men and cloath, arm and equip them in a soldier-like manner, at the expense of the United States; and the officers and men so cloathed, armed and equipped shall march to the place appointed, and within the time agreed on by the United States in Congress assembled: but if the United States in Congress assembled shall, on consideration of circumstances judge proper that any State should not raise men, or should raise a smaller number than its quota, and that any other State should raise a greater number of men than the quota thereof, such extra number shall be raised, officered, cloathed, anned and equipped in the same manner as the quota of such State, unless the legislature of such State shall judge that such extra number cannot be safely spared out of the same, in which case they shall raise, officer, cloath, arm and equip as many of such extra number as they judge can be safely spared. And the officers and men so cloathed, armed and equipped, shall inarch to the place appointed, and within the time agreed on by the United States in Congress assembled.

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The United States in Congress assembled shall never engage in a war, nor grant letters of marque and reprisal in time of peace, nor enter into any treaties or alliances, nor coin money, nor regulate the value thereof, nor ascertain the sums and expenses necessary for the defence and welfare of the United States, Or any of them, nor emit bills, nor borrow money on the credit of the United States, nor appropriate money, nor agree upon the number of vessels of war, to be built or purchased, or the number of land or sea forces to be raised, nor appoint a commander in chief of the army or navy, unless nine States assent to the same: nor shall a question on any other point, except for adjourning from day to day be determined, unless by the votes of a majority of the United States in Congress assembled.

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The Congress of the United States shall have power to adjourn to any time within the year, and to any place within the United States, so that no period of adjournment be for a longer duration than the space of six months, and shall publish the journal of their proceedings monthly, except such parts thereof relating to treaties, alliances or military operations, as in their judgment require secresy; and the yeas and nays of the delegates of each State on any question shall be entered on the journal, when it is desired by any delegate; and the delegates of a State, or any of them, at his or their request shall be furnished with a transcript of the said journal, except such parts as are above excepted, to lay before the Legislatures of the several States.

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ARTICLE X. The committee of the States, or any nine of them, shall be authorized to execute, in the recess of Congress, such of the powers of Congress as the United States in Congress assembled, by the consent of nine States, shall from time to time think expedient to vest them with; provided that no power be delegated to the said committee, for the exercise of which, by the articles of confederation, the voice of nine States in the Congress of the United States assembled is requisite.

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ARTICLE XI. Canada acceding to this confederation, and joining in the measures of the United States, shall be admitted into, and entitled to all the advantages of this Union: but no other colony shall be admitted into the same, unless such admission be agreed to by nine States.

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ARTICLE XII. All bills of credit emitted, monies borrowed and debts contracted by, or under the authority of Congress, before the assembling of the United States, in pursuance of the present confederation, shall be deemed and considered as a charge against the United States, for payment and satisfaction whereof the said United States, and the public faith are hereby solemnly pledged.

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ARTICLE XIII. Every State shall abide by the determinations of the United States in Congress assembled, on all questions which by this confederation are submitted to them. And the articles of this confederation shall be inviolably observed by every State, and the Union shall be perpetual; nor shall any alteration at any time hereafter be made in any of them; unless such alteration be agreed to in a Congress of the United States, and be afterwards confirmed by the Legislatures of every State.

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And whereas it has pleased the Great Governor of the world to incline the hearts of the Legislatures we respectively represent in Congress, to approve of, and to authorize us to ratify the said articles of confederation and perpetual union. Know ye that we the undersigned delegates, by virtue of the power and authority to us given for that purpose, do by these presents, in the name and in behalf of our respective constituents, fully and entirely ratify and confirm each and every of the said articles of confederation and perpetual union, and all and singular the matters and things therein contained: and we do further solemnly plight and engage the faith of our respective constituents, that they shall abide by the determinations of the United States in Congress assembled, on all questions, which by the said confederation are submitted to them. And that the articles thereof shall be inviolably observed by the States we respectively represent, and that the Union shall be perpetual.

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In witness whereof we have hereunto set our hands in Congress. Done at Philadelphia in the State of Pennsylvania the ninth day of July in the year of our Lord one thousand seven hundred and seventy-eight, and in the third year of the independence of America.

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On the part & behalf of the State of New Hampshire.

JOSIAH BARTLETT, JOHN WENTWORTH, Junr.,

August 8th, 1778.

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On the part and behalf of the State of Massachusetts Bay.

JOHN HANCOCK, FRANCIS DANA,

SAMUEL ADAMS, JAMES LOVELL,

ELBRIDGE GERRY, SAMUEL HOLTEN.

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On the part and behalf of the State of Rhode Island and Providence Plantations.

WILLIAM ELLERY, JOHN COLLINS.

HENRY MARCHANT,

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On the part and behalf of the State of Connecticut.

ROGER SHERMAN, TITUS HOSMER,

SAMUEL HUNTINGTON, ANDREW ADAMS.

OLIVER WOLCOTT,

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On the part and behalf of the State of New York.

JAS. DUANE, WM. DUER,

FRA. LEWIS, GOUV. MORRIS.

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On the part and in behalf of the State of New Jersey,

Novr. 26, 1778.

JNO. WITHERSPOON, NATH. SCUDDER.

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On the part and behalf of the State of Pennsylvania

ROBT. MORRIS, WILLIAM CLINGAN,

DANIEL ROBERDEAU, JOSEPH REED,

JONA. BAYARD SMITH, 22d July, 1778.

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On the part & behalf of the State of Delaware.

THO. M'KEAN, NICHOLAS VAN DYKE.

Feby. 12, 1779. JOHN DICKINSON,

May 5th, 1779.

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On the part and behalf of the State of Maryland

JOHN HANSON, DANIEL CARROLL,

March 1, 1781. Mar. 1, 1781.

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On the part and behalf of the State of Virginia.

RICHARD HENRY LEE, JNO. HARVIE,

JOHN BANISTER, FRANCIS LIGHTFOOT LEE.

THOMAS ADAMS,

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On the part and behalf of the State of No. Carolina.

JOHN PENN, July 21, 1778. JNO. WILLIAMS.

\CORNS. HARNETT,

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On the part and behalf of the State of South Carolina

HENRY LAURENS, JNO. MATHEWS,

WILLIAM HENRY DRAYTON, RICHD. HUTSON.

THOS. HEYWARD, Junr.

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On the part and behalf of the State of Georgia.

JNO. WALTON, EDWN. LANGWORTHY.

24th July, 1778.

EDWD. TELFAIR.

End of Vol. II.

History of the American People

Volume 3: The Founding of the Government

Chapter 1:

Between War and Peace

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THE surrender of the Earl of Cornwallis at Yorktown closed the career in America of the only British general who had shown commanding gifts in the field. It closed also the revolution itself. The southern campaign had been undertaken at the wish and upon the plan of Cornwallis. He knew how pronounced division of opinion was in the South, and how certain a hold could be got there upon the sympathy of scores of men who could be of the utmost service to an army in the field. He knew how important it was to close the southern ports, and particularly the Chesapeake, in order to shut out the supplies that came steadily in from over sea. He believed that an effectual blow struck from the south at Virginia, after the reduction of the far southern ports, would secure for the British an almost commanding position on the continent. Had Clinton helped him promptly, instead of grudging him aid; had he been enabled to move rapidly and in force as he had planned, he might have accomplished his purpose effectually, even brilliantly. Even as it was, there had been something very striking about the manner in which he had fought his way from the far southern coasts to Yorktown: the boldness with which he had dared to risk all his connections to deliver a blow; the success with which he had beat off the Americans whenever he was himself personally in command; the comparative freedom with which he had moved in Virginia, despite the gathering strength of the forces under Lafayette. It was the express orders of Clinton, his superior, that had caged him at Yorktown; and it was but seven thousand men he yielded to his fourteen thousand besiegers and de Grasses fleet in the Bay. It was characteristic of Sir Henry Clinton that he did not start from New York to bring the long-needed aid until the very day of his comrade's surrender. The usual thing had happened. An incompetent commander-in-chief had dallied and blundered with Washington at hand to take advantage of every blunder like a master. Sir Henry had gone to succor Cornwallis as he had gone to meet Burgoyne, when the campaign was over.

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Lord North knew what the news meant when it came. He received it "as he would have taken a ball in his breast, opening his arms and exclaiming wildly, 'O God! it is all over!'" But when that first moment of poignant chagrin was past, no doubt a very distinct sense of relief ensued, to offset the bitterness of the humiliating blow. It was imperative for England that the American war should end. She was beset. France and Spain had taken advantage of the revolt of the colonies once more to attack her,—not because they loved America or sympathized with the ideals of liberty for which she fought, but because they wished to make good against England the threatened disaster. United, they were as strong as she upon the seas. Louis XVI. had diligently courted peace with his neighbors on the continent, and had spent the money of France for ships and efficient sailors. Early in 1779 a French squadron had seized the English possessions in Senegal and on the Gambia. That same year a combined French and Spanish fleet swept through the Channel, no English force daring to oppose it. His work in the Chesapeake finished, de Grasse had returned again, upon the surrender of Cornwallis, to his attack upon the British West Indies, and before another spring came he had reduced every English island of the Caribbean Sea except Jamaica, Barbadoes, and Antigua. An English fleet out of New York had attacked him at the capes of the Chesapeake, trying to break the trap into which Cornwallis had fallen, but had been beaten off. In May, 1781, a Spanish force had taken Pensacola and driven the English from Florida; and in February, 1782, a Spanish fleet captured Minorca, and a closer siege than ever was drawn about Gibraltar.

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Finding herself at war with half the world, England had claimed the right to search neutral vessels on the high seas for goods belonging to her enemies, and to confiscate them when found; had claimed also the right to seize vessels trading with such of her ports as she had declared blockaded, whether she had actually blockaded them or not; and so had set the rest of the world against her. The northern states of Europe, headed by Russia, drew together in a league of "Armed Neutrality," determined to assert in force the doctrine that "free ships make free goods,"—a doctrine till then unasserted,—and to make effectual denial of the right to establish "paper blockades," created by proclamation and not by naval force; and the actual resistance of Dutch ships to her attempts to subject them to search forced England, in December, 1780, to make formal declaration of war against the Dutch Republic. Wars with the native princes of India had been heaped upon her other burdens since 1778, and France had sent a formidable armament thither, as she had sent an armament to America, at the moment of most critical danger, demanding that England relinquish everything except Bengal. It was no time to reconquer America.

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Opinion as well as fortune had set against the further prosecution of the war against the colonies. At first opinion had seemed to sustain it. The nation, so far as any man could tell, believed it necessary and desirable that the colonies should be brought to obedience. But with the progress of the war opinion had veered. Uneasiness and disquiet had ensued, not merely because every campaign had ended in failure, but also because of the very fact of the war—a war against Englishmen, and upon questions which abode at home as well as in America. It was noteworthy that the country seemed to grow more and more dissatisfied with Parliament and with the subtile power of the King to rule in every turn of affairs. There began to be, for the first time in England, an articulate "public opinion," which was not the opinion of the Commons but an opinion uttered in mass meetings such as Mr. Wilkes's friends had found out how to assemble and make use of. A great agitation arose for a reduction of the crown's patronage and influence in Parliament, and for the regulation of official emoluments, in order that corruption might be prevented. In April, 1780, Mr. John Dunning, the Whig member for Calne, and from the first an avowed opponent of the war against the colonies, had actually carried through the House of Commons itself in the teeth of the ministers a resolution that "the influence of the crown had increased, was increasing, and ought to be diminished." Sudden mobs and tumults disturbed London with the swaying of opinion at every change of policy.

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There were some men who saw what underlay the doubts and agitations and dismays of the time—who saw that the success of the English armies in America would mean such a danger to English liberty itself as they did not care to face,—the supremacy of the crown and of an unreformed Parliament. The Duke of Richmond had not hesitated to declare at the very outset of the war his hope that it would end in just such a crushing defeat as this which had now come at Yorktown. Yomig Pitt, great Chatham's son, had denounced the war while yet Cornwallis seemed to move victorious in the South as "accursed, wicked, barbarous." Charles Fox clapped his hands at news of Washington's final victory. Lord North had himself long ago lost heart in the business. He had wished to resign ever since the news of Burgoyne's surrender; had kept his office against his will and better judgment because the King so urgently commanded him to keep it; and was heartily glad to get his release when at last the House itself yielded to opinion out-of-doors and voted that the war should stop.

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A soldier led the dissatisfied Commons in their tardy revolt—the gentle Conway, who from the first had stood with Burke and the Rockingham Whigs as a champion of the cause of the Englishmen over sea. On the 27th of February, 1782, he triumphantly carried against the ministers the significant resolution, "That it is the opinion of this House that a further prosecution of offensive war against America would, under present circumstances, be the means of weakening the efforts of this country against her European enemies, and tend to increase the mutual enmity so fatal to the interests both of Great Britain and America," and on the 4th of March capped it with the still more trenchant resolution, "That the House will consider as enemies of his Majesty those who should advise or attempt a further prosecution of offensive war on the continent of North America." By the end of the month North was out, and Rockingham had once more taken office.

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With this radical change in the spirit and motive of affairs at home came brighter news from abroad. In India the native princes had once more been brought to submission, and France had gained no advantage. Rodney had beaten de Grasse in the West Indies (April 12, 1782), in eleven hours of desperate fighting which had rendered the western seas no longer tenable for France had broken her naval power, and had made England safe of her mastery again on those contested coasts. Before the close of the year the combined forces of France and Spain had been obliged to abandon the siege of Gibraltar, which Spain had begun at the very outset of hostilities. It was, of course, no part of the personal triumph of the new ministers that the year in which they supplanted North was also the year in which the tide of victory turned, the year of England's triumph over her European enemies. It was their task to make wise use of victory, and to reform the government which the King had corrupted and North had misused. In that their success was singularly immediate and extensive. By a rapid succession of measures they disqualified revenue officers from voting at elections and government contractors from sitting in the House of Commons, and cut in half the patronage of the crown. They were convinced, with Mr. Dunning, that the power of the crown had too much increased and ought to be diminished, in England no less than in America. It showed an extraordinary alteration in the temper of the Commons that they were able to diminish it so in which.

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The lesson learned in America told upon the policy of the ministers in more ways than one. It led them to concede, among other things, an independent parliament to Ireland. There had been no soldiers to spare for the defence of Ireland when war threatened every coast and province of the empire; the Irish Protestants had mustered eighty thousand volunteers for their own defence; they could not now be refused the independent parliamentary action they had coveted.

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But the chief fruit of the change of ministers was peace. Lord Rockingham lived but three months to preside over the counsels of peace and reformation he had so long wished to bring about. On the 2nd of July, 1782, Lord Shelburne became the head of the government, and some of the Rockingham Whigs refused to serve under his leadership. But the reconstitution of the ministry did not affect either its spirit or its policy. It had planned peace and was able to bring it about. France and Spain had but completed their bankruptcy by the war; England's credit was secure. She could afford to continue the war; they could not. It was a mere matter of terms: England could almost dictate what they should be.

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Peace must have seemed to Washington and Greene and Knox in the field, to the executive committees of the Congress at Philadelphia, to Franklin at Paris and John Adams at The Hague, like a beneficent providence rather than a thing earned by decisive victory. It was midsummer, 1782, before they could thoroughly credit those who told them of its certain approach. That supreme stroke at Yorktown having been delivered, everything fell slack; it seemed impossible to add anything, by way of making victory secure. There were still, it might be, some forty thousand British troops in America, reckoning all the posts from Canada round about, west and east, to the Gulf and the islands of the Indies. There were seventeen thousand in New York, and nearly seven thousand facing General Greene in the South. Having finished at Yorktown, Washington sent two thousand men to reinforce General Greene in South Carolina, and himself went promptly back to his post at Newburgh on the Hudson, to watch Clinton at New York, leaving Rochambeam and four thousand French troops at Williamsburg in Virginia, to guard the approaches of the Chesapeake. He was deeply anxious. He knew that the country had reached a point of utter exhaustion, lethargy, and disorganization. Not a recruit could he get. The troops were unpaid, unfed, only half clothed. He deemed the situation one of grave peril, and despaired presently of so much as keeping up appearances, knowing very well that the British were as well aware of his weakness as he was, and of the apathy and confusion of weak counsels that had fallen on the states. Clinton sent word to the ministers that if they would but send him ten thousand more men he would be responsible for the reduction of the country. Rodney presently cleared the coast of the French, and there was nothing to prevent fresh troops and supplies being sent as fast as the ministers wished to send them,—nothing but the ministers' desire for peace, which Washington found it hard to credit.

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But the new year confirmed the good news. The leaders of government in England had no doubt come to perceive very clearly how essentially impossible it was to conquer America, now that the alienation of feeling between the two countries was complete and final, and all thought of submission or accommodation but of the question. Their generals had seldom been beaten in battle, as it was. Burgoyne had won action after action in the northern forests only to find himself helpless at last. Howe had had his way easily enough at New York and on his expedition against Philadelphia. Cornwallis had moved freely, almost victoriously, into the trap at Yorktown. The unpalatable fact was, that British troops could control only so much of the country as they actually occupied, and that it was out of the question to occupy all of it. With Washington always at hand, always ready to strike, and always able to make the stroke tell, it was not safe even to attempt the maintenance of extended lines. At any rate England had grown weary of the unnatural business; the House of Commons had declared against the war; the new ministers were resolved to end it, even at the cost of granting America her independence; and it had become only a matter of terms.

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In May, 1782, General Clinton was superseded at New York by General Sir Guy Carleton, who was instructed to assure the American commander-in-chief of the government's determination to seek terms of peace, and who was of the noble spirit to like his errand. On the 11th of July the British garrison at Savannah was withdrawn and sent to New York. In August, Washington received from Carleton definitive assurances that the independence of the United States was to be conceded as a preliminary of peace, and in September the French who had remained in Virginia joined the Americans on the Hudson. In October they embarked at Boston for France. By the close of November (November 30,1782) a provisional treaty of peace had been agreed upon; and on the 14th of December Charleston was also evacuated, and the South left free of British troops. Carleton, when he felt that peace was indeed assured, began to disband the loyalist regiments enlisted in the British service and to despatch many of his regulars to the West Indies, to Nova Scotia, and to England. No one doubted any longer that the end of the bitter business had come at last; every one waited impatiently for the treaties which were to constitute its formal conclusion.

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The actual formulation of peace, however, proved a matter of no small difficulty. America and France were bound together by the close and honorable ties of alliance; and France was in her turn allied with Spain, who now felt her interests to be by no means coincident with the interests of America. The Congress at Philadelphia explicitly commanded its comissioners "to be guided by the wishes of the French court." Dr. Franklin, Mr. John Adams, and Mr. John Jay, who bore its commission, were men of honor, and entertained, besides, a lively sense of the very deep obligations of the United States to France, for the money and the armed assistance in the field and upon the seas without which, apparently, their victory would have been impossible. It proved impracticable, nevertheless, to act with France; for she conducted herself, not as the ingenuous friend of the United States, but only as the enemy of England, and as first and always a subtile strategist for her own interest and advantage. The American commissioners would not be tricked and made use of, and came to terms separately, secretly, and for themselves with the English, their instructions notwithstanding. They did not make peace without their ally, but they would not accept terms of her arrangement.

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The Count de Vergennes, her astute minister, had meant to devise a balance of power in America which might be made to redound to the advantage of France in Europe: had meant to support England in the exclusion of the Americans from the Newfoundland fisheries, and in her claim that the northern boundary of the United States should be the river Ohio, instead of the great lakes; to suggest the creation of a neutral zone of territory between the western settlements of the American States and the Mississippi, set apart for the Indians under the joint protection of the United States and Spain; and to stand with Spain for the utmost possible northward extension of the boundaries of Florida, which Spain had taken possession of. The American comissioners ignored him and got their own terms: The independence of the United States, a northern boundary at the great lakes, a western boundary at the Mississippi, and the use of the Canadian fisheries. Between the signing of the provisional and the signing of the definitive treaty the ministry of Lord Shelburne gave place to a coalition ministry under the Duke of Portland which brought North once more into office; but the course of the negotiations was not materially changed. The American commissioners got substantially all they had contended for (September 3, 1783).

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The States had at last, moreover, a common government which could accept independence. On the 1st of March, 1781, Maryland had given her tardy assent to the Articles of Confederation, on the understanding that the States which had claims to territory in the west should as soon as possible relinquish them in favor of the newly formed government. On the 14th of January, 1784, the Congress of the Confederation, not yet two years old, ratified the treaty of peace.

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A burst of heady indignation followed the publication of the terms of the treaty. It was well enough that the United States should have their independence, of course, and their proper boundaries, and that the immemorial right of their people to fish in the Canadian waters should be retained; but there were other articles in the treaty which gave almost universal dissatisfaction. The Confederation bound itself to urge upon the States unconditional amnesty for the loyalists and a complete restoration of their estates and civil rights, and to prevent so far as possible any legal obstacles being put in the way of the collection of the debts due British merchants at the outbreak of the war. Dr. Franklin had very candidly explained to the British commissioners that the Congress of the Confederation had no power to enforce these articles: that it could only advise the States, and that they would be free to follow or to disregard its advice as they pleased; and they did disregard it entirely and even scornfully, being bent upon vouchsafing to the loyalists neither property nor rights of any kind, and upon virtually wiping out all debts owed to Englishmen.

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The Confederation, in fact, furnished the country with no real government at all. The Articles explicitly reserved to each State "its sovereignty, freedom, and independence." The general Congress had, it is true, powers which made it seem like a veritable government with respect to all dealings with foreign states, in the making of war and the conclusion of peace, in the maintenance of land and naval forces for national defence, and in the raising of loans on the faith and credit of the United States. It was authorized, too, to act as absolute arbiter of disputes between the States, to establish and regulate post offices, to determine the alloy and the value of all coin struck either by its own authority or by the authority of the States, to fix the standard of weights and measures, and to regulate all dealings with the Indian tribes. But it had absolutely no power to lay taxes of any kind. It was to get its means of support by requisition on the States—by requests which it had no right to transmute into commands. The Confederation had no Executive but only its talkative Congress, in which the States big and little had an equal voice: which could decide no important matter without the concurrence of at least nine out of the thirteen little commonwealths which had but just now formed the jealous partnership. Its Congress was but a board of advice; and its advice could be ignored with impunity.

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The common affairs of the country had therefore to be conducted as the revolution itself had in fact been conducted,—not by the authority or the resolutions of the Congress, but by the extraordinary activity, enterprise, and influence of a few of the leading men in the States who had union and harmonious common effort at heart. The revolution may almost be said to have been carried forward by private correspondence,—by the impulse of conviction, the urgency of argument, the clear interpretation of signs of the times, the ceaseless persuasion planning, instigating of the letters of men like Washington, Knox, Greene, Schuyler, Hamilton, Henry, Franklin, Livingston, Madison, Jefferson, Hancock, Morris, Jay, Gadsden, the Lees, the Adamses,—a handful of men in each State who kept every one within reach of their letters or their voices reminded, in season and out of season, of the happenings, the dangers, the hopes, the difficulties, the duties of the time, stimulating those in authority, checking those in opposition, arousing those who were indifferent. This, rather than the work of formal committees of correspondence, had kept action awake and made it vital.

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The Congress had talked ineffectually enough, and done nothing, at many a critical moment; had given way to the influence of petty provincial factions and listened to unworthy intrigues, while men not in its membership were carrying affairs forward without it. John Adams himself had too readily joined the silly talk of that disconcerted body when it grew impatient of Washington's "Fabian policy" in the face of overwhelming odds. "My toast," he had cried, "is a short and a violent war!" Samuel Adams, too, had seemed once and again, in that demoralizing atmosphere of debate without action, to show only his petty gifts of management without a touch of broad or generous temper. Even Richard Henry Lee of Virginia, had critizised the sorely tried commander-in-chief's "delays" at the very time when Washington's letters were being hurried through the country along more lines of power than the Congress had ever had use of, persuading men and States to do what the Congress vainly suggested. The impotency, the occasional sheer imbecility, of the only common council the country yet had had been offset and made up for by the singular assiduity and faithfulness in personal effort of the real leaders of opinion in the States. The States had been remiss enough, as it was, in supplying their quotas of men and money and stores; they would have been still more remiss had not their leading spirits cried shame upon them and excited them in some measure to a performance of their duty.

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When peace came it proved more difficult than ever to induce the States to act, or even seriously to take counsel, in the common interest. They had made the Confederation, but they were not interested in it. They were engaged in setting their own affairs in order after the long disquieting years of revolution and war which had brought such sad havoc upon their old-time ordinances and ways of life. Passion had run hot while the war lasted. It was not easy to put a term at once upon the license or upon the distempers which such a time had produced so rankly. Not a little poise, not a little of the sentiment of law, not a little of the solidity of tradition and the steadiness of established ways of thought and action, not a little of the conservative strength of the young communities had gone out of the country with the loyalists,—not a little of the training, the pride of reputation, the compulsion of class spirit, the loyalty and honor of a class accustomed to rule and to furnish rulers. There was an added unsteadiness in affairs because in so many places new men, and radical, were at the front in all public business.

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Those who had adhered to the old order had made their way out of the revolted States in almost incredible numbers, as the issue of the war approached and became certain. Throughout the latter part of 1782 and all of 1783 they had poured out of the country in a veritable flight, knowing themselves proscribed and ruined, and not daring to wait for the actual evacuation of the English. Out of the southern country they made their way in ever-increasing numbers into Spanish Florida, or took ship to Bermuda or the British West Indies. Those who were within reach of Canada set out northward through the forests to seek a refuge there, following the rough, uncleared trails and the water-courses, with pack horse and boat, as in the old days of the first settlement of the continent out of Europe, abandoning home and property to escape contumely and the unspeakable hardship of being outlawed and hated in the communities of their own birth and breeding. Thousands upon thousands crowded to New York to seek the shelter of the British arms. It was the 25th of November, 1783, before Sir Guy Carleton could effect the final evacuation of the city, so great and so troublesome was the pitiful company of refugees for which he felt himself obliged in mere compassion to provide protection and transportation. More than twenty-nine thousand refugees (including three thousand negroes) left the State of New York alone, for Canada, during that confused and anxious year 1783.

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Most of these had taken no active part in the struggle which had rendered them homeless. Almost without exception they had been, in opinion, as thoroughly opposed as their neighbors to the policy of the King and Parliament towards the colonies. But they had not been willing to go the ugly length of rebellion and of outright separation from England. When it came to the final breach, some of them had become not merely passive but active opponents of revolution and independence. The more partisan had taken up arms for the King. First and last, during the five years of the fighting, there had been no fewer than twenty-five thousand loyalists enlisted in the British service. At one time (1779) they had actually outnumbered the whole of the continental muster under the personal command of Washington. Most of those, however, who would not join the patriot party had been quiet non-combatants, and had been opponents of the revolution only in opinion. When the war was over the men who spoke the mind of the majority and who accordingly controlled policy in the new States refused to make any distinction between those who had taken up arms and those who had not. In their eyes they were all alike "Tories" and traitors; and many an excess of persecution and spoliation, many a wanton insult, many an act of mere vengeance darkened the years which immediately followed the war ;increasing the bands of exiles and adding in an incalculable measure to the bitterness which was throughout generations to mark the feeling of Canadians for their southern neighbors.

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It was but human nature that it should be so. No one could wonder that civil war had brought these too familiar things in its train. The bitterest words of the great Washington himself were uttered against the Tories. Even with his splendid moderation and poise of mind, he could not find it in his heart to forgive the men who had seemed to fill every country-side his army entered with intrigue and threat of treason to the cause he had given his life to. The best Virginians had chosen as he had chosen: he could not imagine how good men or true patriots anywhere could choose otherwise. It was part of the almost universal demoralization produced by the war that every sentiment should now exhibit its excess, every reaction prove dangerously violent. There was everywhere a sort of moral exhaustion; a relaxation of the very principles of just and temperate government which the war had been fought to vindicate; a loss of tone, an access of perilous agitation.

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The war had brought many things in its train calculated to work distress and to throw both morals and business into confusion. For one thing, it had saddled the country with an almost incalculable burden of debt. The individual States, the general Congress, towns, private persons even, had strained their credit to the utmost to meet the engagements and defray the expenses of a season during which business was often-times quite suspended and the ordinary sources of income absolutely dried up. The States and the Congress alike had resorted to the demoralizing expedient of issuing paper money which they could not redeem. Its bulk had, of course, increased from year to year, and its value had as rapidly declined. The continental money in particular had fallen so in value that the commodity must have been valueless indeed which fell under the reproach of being "not worth a continental."

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It was the good fortune of the Confederation to have Robert Morris, one of the most distinguished, honorable, and successful merchants of Philadelphia, in charge of its treasury during the critical years of the final reckonings of the war (May, 1781, to April, 1785),—a man who had large means to pledge and who would pledge them to the last farthing to raise a sum of money upon an exigency, as Washington had done for the pay of his troops before Trenton. Mr. Morris had himself supplied almost everything that was needed for the victorious campaign which culminated at Yorktown, borrowing twenty thousand dollars in gold of Count de Rochambeau, upon his personal credit, to do it. But even Morris, trained merchant and financier that he was, could not make something out of nothing. The States would not tax their people for the support of the Confederation. It took eighteen months to collect one-fifth of the taxes assigned them in 1783. They neglected, sometimes even bluntly refused, to pay so much as their allotted shares of the interest on the national debt. The Confederation could not, of course, borrow under such circumstances. It was threatened with a mere unhonored lapse of all its powers and even of its very existence, for want alike of respect and support. The war had cost the Confederation more than ninety-two million dollars, reckoned in specie. France alone had spent sixty millions for America in loans and the support of armies. The States had added an expenditure of quite twenty-one millions more out of their own treasuries or their own credit. No wonder the men in responsible charge of public affairs in America rejected with a touch of bitter passion the demand of the treaty of peace, that they should, in addition to all this, restore to the loyalists the property they had lost, and pay to British merchants debts which antedated the war.

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Trade, apparently, could not recover from the blow it had received by reason of the long continuance of hostilities. It was likely to be worse, indeed, now that the war was over, than it had been while the war lasted. While the war lasted ship owners could at least use their craft as privateers, to bring in cargoes not consigned to them. Seamen had found infinitely more adventure and not much less profit in their profession during those lawless years than formerly. But when peace came the ports of the British West Indies, once open to them, became foreign ports and were closed against them. Productive industry had too long stood still and there was little or nothing to sell in exchange for the English goods every one needed and all bought who could. A war of tariffs succeeded the war of arms,—a war in which each State acted for itself. The Congress of the Confederation could not regulate trade,—that was not one of its powers. It could arrange no national policy. It could neither retaliate upon foreign governments nor make bargains of reciprocity with them. Each State studied its own interest and knew not how to advance even that successfully. American, commerce had everywhere the worst of it.

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It had been one of the unhappy omens of the time that the Confederation had had to reckon the disbandment of its own army one of the most serious difficulties attending the establishment of peace, and had had reason to feel relieved when it had at last got rid of it. During those last tedious months which intervened between the surrender at Yorktown and the formal conclusion of peace the idle soldiers had felt, more keenly even than in days of movement and war, the constant privations to which they were subjected. There had been times when some of them had been obliged to keep all day within their tents because absolutely without clothes to wear in which they could decently walk abroad. Their pay was almost never forthcoming; and they thought from time to time that they had good reason to suspect that the Congress meant to disband them and send them home without it. Their very idleness fostered an in humor among them, for there was nothing but the very bitter grievances to think about. The neglect they suffered naturally seemed to them an intolerable indignity; and they broke here and there into actual mutiny, their officers hardly restraining them.

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Their officers, indeed, went, some of them, a little beyond mutiny, to the borders of treason, at any rate in their wish and purpose. In the spring of 1782 a letter from one of the most respected and trusted of his officers had intimated to Washington the willingness of the army to make him king, master of the country, dictator,—anything he would,—in order that the futile government of a group of petty republics might give place at least to order and efficiency. Washington's reply had run hot in every sentence with scornful indignation that any one should dare to deem him capable of proving himself a traitor and an adventurer; but it had been reported from his camp ere the year ended that he was steadily losing his hold upon the affection of the army by the harshness with which he acted against everything that looked like a breach either of law or of discipline in bringing the army's claims to the attention of the Congress or of the States. In the spring of 1783 there was a movement among his officers to force their claims upon the Congress which it required every gift of wise control and patient persuasion he was master of to hold back from lawlessness and open disloyalty. It was with no small sense of relief, therefore, that the country witnessed at last the peaceful disbandment of the troops (November 5,1783). The Congress had, happily, in the end been able to satisfy them, at any rate in part, in the matter of their pay; and had not waited even for the evacuation of New York by the British (November 25,1783) to get them safely dispersed to their homes.

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Here our general authorities are the sixth volume of Bancroft and his History of the Constitution; the third volume of Hildreth; the first volume of George Tucker's History of the United States; the fourth volume of Bryant and Gay's Popular History of the United States; John Fiske's Critical Period of American History; George Ticknor Curtis's History of the Origin, Formation, and Adoption of the Constitution, and The Constitution of the United States and its History, in the seventh volume of Winsor's warrative and Critical History of America; Justin Vinsor's The Confederation, 1781-1789, in the same volume of Vinsor; the fourth volume of W. F. H. Lecky's History of England in the Eighteenth Century; the first volume of John Bach McMaster's History of the People of the United States; James Kent's Commentaries on American Law; and Joseph Story's Commentaries on the Constitution of the United States.

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The sources for the period are to be found, as before, in the published forks, letters, and correspondence of the leading characters of the time on both sirles the water, especially in such intimate views of affairs as are to be found in Thomas Jefferson's Notes on Virginia and in Madison's Notes in the Madison Papers; the Journals of Congress and the Secret Journals of Congress; Jonathan Elliot's Debates on the Federal Constitution, including the Madison Papers; Noah Webster's Sketches of American Policy; Pelatiah Webster's Dissertation on the Political Union; and Brissot de Warville's Examen Critique (1784) and New Travels in the United States, performed in 1788.

Chapter 2:

Founding a Federal Government

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THE army disbanded and peace made, the chief business of the Confederation seemed concluded. The Articles which had given it a formal constitution had done little more than impart form and explicit sanction to the familiar functions which the Congress had for seven years exercised without them, and the exigency and occasion for the exercise of those functions seemed now gone by. Now that the war was over, the Confederation seemed to lack its old-time reason for being, and yet to have found no new reason, no new service to justify its existence and give it authority. It was still too much like an occasional body; still without powers suitable for seasons of peace and the ordinary courses of government: without administrative authority, without governmental efficacy,—a mere board of advice about things which had ceased to be interesting. All real vigor, all quick interest and vital ambition, all initiative and effective purpose center in the several States. They alone had individuality and political power. The treaty of peace gave "the United States" vast territories which spread at large upon the map like a great empire; but it was an empire without organization, left to be ruled and peopled, as the States themselves had been, by the concert and initiative of pioneers and of single individuals who knew how to organize and how to lead. The enterprise of settlement did not lag. The masterful advance over the mountains and out upon the great slopes and into the fertile valleys which stretched, green and forested, to the far Mississippi had begun before the revolution itself, and sprang forward in trebled volume when war was done. It gave the young republic the early growing pains by which it got its first self-consciousness and its introduction to international difficulties. But it did not give it the organization, the centred authority, the coherent force necessary to its poise and conduct as a nation.

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Migration into the West had been given its first impulse by the treaty of 1763, which closed the war with France and gave to the English all that the French had claimed east of the Mississippi. The war for independence had checked it for a little, but only for a little. It thronged forward again the moment the anxious strain of the fighting was off. Northwestward along the valleys of the Mohawk and the Delaware into the land of the Iroquois which Sullivan had harried,—where Sir William Johnson had reigned in days gone by over red men and white; straight towards the heart of the West along the upper courses of the Potomac, through the difficult country through which Braddock had gone his blundering way, to Fort Pitt and the lands by the Ohio; through the long forests to the fair Kentucky; down the valleys opened by the spreading tributaries of the Tennessee, and through the forests beyond to the Cumberland, whither the men who had ridden the passes to King's Mountain had shown the way; around the southern end of the great Appalachians to the plains by the Gulf,—wherever the mountains opened or a way could be made, ever-increasing bands of emigrants essayed the long journey every open season, seeking new homes at the heart of the lands where once the French had had their Posts and garrisons,—until there began to be communities beyond the mountains big enough to count in affairs: commnunities in whose behalf peace and government must be provided, and a way of intercourse and sympathy between East and West to which the great mountain ranges should be no effectual barrier. The war itself had not stopped this eager journeying into the West. The savage tribes upon those borders, north and south, found themselves checked and beaten, not by any sudden onset of armed men, but by this crowding in of the indomitable white man, this thickening of his stubborn, ineradicable settlements upon the western streams, the coveted hunting grounds.

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Washington had seen the gates of that new world when, as a mere boy, he had acted as surveyor of Lord Fairfax's estates within the valley of the Shenandoah; when, as a youth, he carried Dinwiddie's warning to the French at fort LeBeuf, ere they made themselves masters at the forks of the Ohio; and again when he went with unhappy Braddock against Duquesne. He saw more vividly than most men what this new movement of population meant, and must bring to pass in the future. When he had written his farewell to the army from his headquarters at Rocky Hill (November 2,1783), had embraced his officers and comrades in arms in a last, affectionate leave taking at Fraunce's Tavern in New York (December 4th), and had delivered up his commission to the Congress sitting at Annapolis (December 23d), he turned for a little respite to his home at Mount Vernon, to which these long years through his thoughts had reverted with an ever-increasing longing; but the very next year saw him over the mountains again, observing what lands were to be had there, and studying once more the best means of communication between East and West. The primary object of his visit was to procure good lands for himself and for old comrades who had made him their agent and adviser in that matter, but his statesman's eye apprised him of the full meaning of the new migration now afoot along all the western border.

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For one thing, he saw how serious a situation it might prove should this body of settlers, sure to grow greater and more masterful from year to year, continue for very long to look back upon almost impenetrable mountains piled between them and the eastern ports and highways. Their natural outlet, when once the mountains were well behind them, would be the Mississippi, their natural highways the streams which ran to the Gulf. It was possible they might see their chief advantage in a connection with the Spaniards at New Orleans rather than with the well nigh inaccessible eastern settlements on the Atlantic seaboard,—or even with the English again by the highway of the lakes and the St. Lawrence. "The western settlers," he declared, "stand as it were upon a pivot. The touch of a feather would turn them any way." He returned home to push again with renewed vigor the project which for now twenty years he had had at heart, and which had in these new days of independence, as it seemed to him, become a sheer political necessity,—the opening of the upper reaches of the Potomac to navigation, in order that the East might there at any rate be linked with the West, by joining the waters of the Potomac with the streams which ran down into the Ohio. This had been part of the plans of the old Ohio Company of which the Washingtons and the Fairfaxes had been members. The revolution had interrupted its plans; there was now added reason for renewing them.

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In the old days the lands about the Ohio had been deemed part of Virginia's domain. Almost every State upon the seaboard had had at the first a grant from the crown which read as if it had been meant to set no boundaries at the west at all except the boundaries of the continent itself; and Virginia's grant was the oldest of them all. Virginia claimed practically all the western country which lay north of her own southern line extended, under the terms of her charter of 1609, which defined her territory as running from her boundaries at the sea-coast "up into the land throughout from sea to sea, west and northwest." But the other colonies as they were formed had also received charters which had a straight westward outlook, practically without bound or limit this side of the Pacific; and each laid confident claim to its own long western strip of the continent. It was in part to quiet these conflicting claims, in part to give herself, who had no grant at all at the west, some parity with her partners in the Confederation, that Maryland had insisted, as a condition precedent to her acceptance of the articles, that all the western territory be ceded to the Confederation itself, as a joint and common property to be held for the use and benefit of all. New York, accordingly, had ceded her claims in 1781; and Virginia so much of hers as lay north of the Ohio, in 1783. The other States were virtually pledged to follow their example. The West was already practically common property. Whatever should be done to bind it to the East would bring so much nearer the promised dawn of a national life.

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It was a noteworthy thing, too, how every one seemed to take it for granted that the Congress of the Confederation had the right to accept these gifts and act as a veritable sovereign in the government of a national domain, notwithstanding the Articles vouchsafed it no grant of power in the matter, and in everything else its authority, though explicitly granted, had fallen into contempt. Whatever the States might do in the administration of their own affairs and the government of their own people, a national domain meant a national government. Its very existence put another face upon affairs. It could not be redivided. The States had put it, a practically impassable barrier, between them and separation. Maryland had builded better than she knew.

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Already the western settlers were showing themselves, by not a little heady wilfulness, to be of the same stock that had made the original colonies first strong and then independent. In its April session, 1784, the legislature of North Carolina had followed the example of New York and Virginia by ceding to the general government her lands beyond the mountains. It committed the blunder, however, of making the grant contingent upon its acceptance by Congress, which might have been taken for granted, and of making no specific provision in the mean time for the government of the very flourishing and very mettlesome little group of pioneer settlements which John Sevier and James Robertson had helped to plant upon the upland streams which ran beyond the mountains into the Tennessee. These promptly concluded that, if they were not governed by North Carolina and had not yet been taken under the care and government of the Confederation, they were their own masters, and proceeded to erect for themselves an independent State, which they called "Franklin," after the genial wit and philosopher at Philadelphia. When North Carolina thereupon rescinded her act of cession, in order to win them back to her dominion, they refused to be reannexed. It was a sign of the times, a taste of that western quality which the nation's affairs were often to smack of.

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The whole country caught the flavor of that quality when Mr. Jay proposed to relinquish the navigation of the Mississippi for a generation to Spain, in return for certain commercial advantages greatly desired at the Atlantic seaports. Spain had already shown an ugly temper with regard to the use of the river, whose outlet she controlled. She had seized merchandise passing down towards its mouth. She had instigated Indian raids against the new-made settlements on the Cumberland, which crowded too near its course. Mr. Jay had been one of the commissioners through whom the United States had got their western boundary at the Mississippi and their grant of the right to use the great stream, at the making of the treaties of peace; and he knew how difficult a thing it had been to force Spain backward to that boundary. But he had not seen that rising tide of emigration now pouring into the West; had not imagined the empire making there, the homes already established, the toil and success already achieved. He thought that there would probably be no occasion to use the Mississippi for twenty-five or thirty years yet to come. He proposed, therefore, in 1785, when Congress had made him its Secretary of Foreign Affairs and had bidden him negotiate a treaty of commerce with Don Diego Gardoqui, the newly arrived representative of Spain, to surrender the navigation of the lower Mississippi, which he thought was not needed, for a term of twenty-five years in exchange for commercial advantages which would redound to the profit of the merchants of the shipping colonies, together with certain concessions with regard to land claims in the West which were likely to please the people of the South. The instant cry of hot protest that came out of the West apprised eastern politicians of the new world a-making there, the new frontiers of the nation. The proposed treaty was not adopted.

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It was hard for men in the East to realize how fast settlers were multiplying and their settlements growing to the stature of States beyond the mountains, where only the other day there had been nothing but unbroken wilderness,—faster a great deal than the original colonies themselves had grown. So early as 1784 the settlers in the Kentucky country deemed themselves numerous and independent enough to be detached from Virginia and set up as one of the States of the Confederation. When rumors reached them of what Mr. Jay proposed some of the bolder spirits among them negotiated in their own behoof a private treaty of commerce with the Spanish at New Orleans. When Virginia interposed delays and difficulties in the way of their plan to become a State, they listened very indulgently to certain lawless men who proposed that they make some stroke for entire independence. There was talk of the British at the North helping them to seize Spain's possessions beyond the river by force of arms and drive Spain from the continent. No man knew what might happen there, should counsels of revolution prevail.

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No disquieting rumor or untoward prospect of new wars for independence in the West at all restrained the steady flood of emigration the while. In March, 1786, a new Ohio Company was formed in Boston for the active furtherance of the settlement of the western country. Soldiers of the revolution officered it and in large part made up its membership. The money script of the Confederation was bought up and used for the purchase of land in the new public domain. Subscriptions and systematic corporate action began to make the settlement of the Ohio country an enterprise of forethought and associated effort, like the settlement of the first colonies themselves.

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The whole country was witness, the while, to the need for a real government, instead of a mere advisory Congress, to bind the inchoate nation together in a more than makeshift union. Every disorder, every difficulty but made this need the more pressing and the more painfully evident; and difficulties and disorders multiplied fast enough,—in the East as well as in the West. No hope of national achievement, no ideal of independence or of power could be fulfilled while the very organization of the nation stood thus formless and dissolved. "There is scarcely anything that can wound the pride or degrade the character of an independent nation," cried Mr. Hamilton, "which we do not experience." Efforts were made to secure for the Congress the right to lay and collect taxes, in order that at least its existence and such powers as it already had should not be at every turn dependent upon the attitude and action of the several States; but the States were not willing to increase its authority so much. In 1786 they were asked to intrust to the Congress at least the collection and use of a revenue laid upon imports; and so plain had both the necessity and the propriety of such an addition to its efficiency by that time become that all of the States except New York consented. But it required the unanimous consent of the States to amend the Articles of Confederation, and New York's refusal set even this aside. New York had no mind to relinquish the duties which she collected for herself at her great port,—not only upon foreign commerce but also upon goods brought out of the other States, her neighbors: on farm produce and garden-truck from New Jersey and firewood from Connecticut,—making her spreading harbor a veritable toll-gate.

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There was in all this one of the most serious signs of the times. The States indulged to the top of their bent a petty hostility towards each other. New York was by no means the only State that laid duties on merchandise brought in from the farms and shops of her neighbors. There was everywhere the same jealous spirit, the same striving for every paltry advantage, the same alert and aggressive selfishness; and the more the States deemed their interests antagonistic the more like a mere rope of sand did the Confederation become. "We are either a united people, or we are not," exclaimed Washington. "If the former, let us in all matters of general concern act as a nation which has a national character to support; if we are not, let us no longer act a farce by pretending to it." England, apparently, expected the weak structure presently to fall to pieces. She would not withdraw her troops from the western posts because the debts of British merchants were not paid and the property rights of the exiled Tories were not restored. Neither would she send a diplomatic representative to America, seeming to regard the Confederation as of no international importance. France and Spain and Holland, seeing the Confederation utterly unable to repay the moneys they had loaned it, scarcely able to pay so much as the interest on its debts, alternated between anger and contempt in their treatment of it; and confidently expected to see it very soon in ruinous collapse and final disintegration. France and Spain were somewhat hopefully wondering, it was evident, what the spoils and plunder of the wreck would be, and to whom it would fall to do the plundering.

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Each year seemed to emphasize by new disorders the increasing need for the wholesome restraints and discipline of a common government. In the autumn of 1786 actual armed rebellion capped Massachusetts' struggles against slack trade, heavy taxes, burdensome debts, and discontented farmers,—a debtors' rebellion. Captain Daniel Shays, a veteran of the fight at Bunker Hill, a captain of the revolutionary army, was its foremost figure. Mobs in the inland counties of the State and in the towns by the Connecticut closed the courts, to prevent the collection of debts. Local conventions, called to discuss the grievous circumstances and distresses of the time, broke up in riot. By the time winter had come Captain Shays had not scrupled to put himself at the head of a riotous muster which had the proportions of a veritable army. James Bowdoin was governor of Massachusetts, a man of probity who knew his duty and did not disrelish the performance of it. There was no mistaking the issue. "My boys," one of the leaders of the insurrection had cried, "you are going to fight for liberty. If you wish to know what liberty is, I will tell you. It is for every man to do what he pleases, to make other folks do as you please to have them, and to keep folks from serving the devil." It was flat anarchy. The treasury of the State was empty, but a hastily equipped force of militia under General Lincoln, paid for by a temporary loan raised by a few patriotic citizens, dispersed the rebels and restored the authority of the government. It was an ominous thing, nevertheless, to see how the people of the State sympathized with the rebels. They would not have Bowdoin for governor again, deeming him too harsh. Rhode Island passed resolutions of sympathy for the rebels and Vermont offered them refuge. Leaders of the rebel force were captured and convicted, but no one dreamed of venturing to execute upon them the penalty denounced by the law against what they had done. The rebellion had plainly been a symptom, not an isolated or singular thing. It had been extraordinary only in its violence.

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Disorders like these were for the mass of men, who did not see the significance of signs less gross and tangible, the best possible evidence of the sore straits the country was in to maintain even so much as its local governments and its respect for law. But it was not violence of this sort so much as the subtle, all-pervasive air of uneasiness, of rivalry, and even hostility between the States, of commercial enmity and a universal unneighborly spirit of reprisal which moved the thoughtful and masterful spirits of the country most deeply, and led them to bestir themselves while yet there was time to forestall disaster. It made them fear the worst, too, for the honor and very life of the country to see how debt demoralized the States: how they yielded upon every side to the temptation to repudiate their obligations by some new evasion, and encouraged individuals to practise a like dishonesty by passing stay laws against the collection of private debts and making legal tender of paper money issued without limit, whose value dropped with every week it was in use. Business as well as government seemed about to go to pieces, bankruptcy to go hand in hand with virtual anarchy.

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It was Washington's scheme of making the West accessible through the valley of the Potomac which, after all, as it turned out, opened the way for statesinanlike measures of union. There was but one method by which to save the Confederation now, as there had been but one method by which to concert and carry forward the revolution. It had to be done, if done at all, by bringing the leading minds of the country to some sort of agreement: by correspondence, by individual effort; by personal appeals to individuals and to legislatures on the part of men who could gain a hearing because they had approved themselves by service. An infinite deal of letter writing: letters handed about from hand to hand which were like state papers for thoroughness, for sobriety of argument, for cogency and quiet power; personal interviews; persuasion that soaked slowly through from group to group in the simple society of the scattered towns and hamlets and plantations—such was the machinery of reform, whether in opinion or in affairs; and Washington, with his quick conscience and steady competency in every matter that called for action, was the natural centre alike of counsel and of performance.

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By the spring of 1785 the Potomac Company, pushed forward in its business by men like Washington, had developed plans serious and definite enough to engage the attention of the legislatures of Maryland and Virginia. The Potomac ran with Maryland on the one bank and Virginia on the other: it was necessary that the two States should agree upon plans for its use and navigation. They united, therefore, in appointing commissioners to meet at Alexandria in March, 1785, to consult upon this matter not only, but also upon the general commercial relations of the two commonwealths which this matter touched and which there was no general government to regulate. Washington invited the commissioners to adjourn to Mount Vernon, near by, as his guests; and there, though not of their number, he was freely admitted to their counsels. They did not report to their legislatures all the hopes and questions to which their thoughts had broadened as they talked, but they set forth matters significant enough for the present. The Potomac, they pointed out, could not be connected with the western waters without affecting Pennsylvania, as well as Maryland and Virginia; they recommended, therefore, that she also be called into conference before that business was carried further. The rest of their task, which concerned common commercial regulations, uniform duties on imports, and joint rules touching the currency, they completed. The Maryland legislature, when it received their report, happily read it in as liberal a spirit as any statesman could have wished for. If Pennsylvania was to be drawn into conference about the Potomac, why should not Delaware also be consulted, with a view to carrying a straight water-course, by canal, from Chesapeake Bay to the Delaware River? And if Pennsylvania and Delaware might be asked to confer about these specific things, what was to prevent a general conference of the States, in which all the uncomfortable questions of their intercourse with one another might be frankly discussed? Governor Bowdoin, of Massachusetts, had that very year urged his legislature to invite the States to such a general convention, in the interests of amicable trade, and it might be that it would meet with universal approbation.

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Virginia was willing. There were men in her legislature to whom such suggestions seemed full of hope and good counsel. Under their influence, therefore, the Burgesses (January, 1786) asked all the States of the confederation to send delegates to a convention to be held at Annapolis on the first Monday of September, to consider the questions of trade and common intercourse which were disturbing the whole country. The response was disappointing. Connecticut, South Carolina, and Georgia ignored the call altogether. Even Maryland fell suddenly indifferent and failed to act, though the plan was her own. New Hampshire, Massachusetts, Rhode Island, and North Carolina appointed delegates, but when the conference had assembled it was found that they had not taken the trouble to attend. Only Virginia, Pennsylvania, Delaware, New Jersey, and New York were represented; and their delegates did not feel that, alone, they could do anything. They could only urge another and fuller conference.

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New Jersey had taken a very lively interest in these new plans of consultation and cooperation. She felt very keenly the serious commercial and political disadvantage at which she was placed by a geographical position which made the much more Powerful States of New York and Pennsylvania her jealous rivals at either outlet to the sea, and along every mile of her border to the westward. She had, accordingly, given her deligates a broader commission than the others bore. She had bidden them "consider how far a uniform system in their commercial regulations and other important matters might be necessary to the common interest and permanent harmony of the several States"; and Mr. Hamilton, one of the delegates sent from New York, being a statesman and no partisan, induced the conference to make a like suggestion in asking for another and fuller convention of the States. Alexander Hamilton had been born, and bred as a lad, in the West Indies. He had established himself while yet a very young man in New York; but he had taken no color from the place; had kept a mind detached from merely local interests and provincial prejudices; had served under Washington in the field, as his aide and confidant; and had learned to see as clearly as any of his elders in affairs the needs and dangers of the country. He lacked still several months of being thirty; but he had been quickened to a singular maturity in that tune of stress. He proposed an address to the States in which they should be asked to come together at Philadelphia on the second Monday of the following May, not merely for the consideration of questions of trade, but also for the purpose of devising "such further provisions as should appear to them necessary to render the constitution of the federal government adequate to the exigencies of the Union," and of reporting to the Congress "such an act as would effectually provide for the same"' and the conference, being in earnest, adopted the paper as he had drawn it.

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Again the States would have been indifferent and conference of no avail, had not the winter which followed been darkened and made very ominous indeed by Shays's rebellion. Every one of the little commonwealths felt the threat of unmanageable disorder and the upsetting of government itself which that spoke. "You talk, my good sir," wrote Washington to Harry Lee, in Congress, "of employing influence to appease the present tumults in Massachusetts. I know not where that influence is to be found, or, if attainable, that it would be a proper remedy for the disorders. Influence is no government. Let us have one by which our lives, liberties, and properties will be secured, or let us know the worst." There was the same feeling everywhere. Government was too slack, order too uncertain. The authority of law could nowhere be stronger than each individual State was prepared to make it. There was no common power, no effectual combination, no aggregate force to render it beyond peradventure firm and lasting. The object-lesson had come in good season. The Congress of the Confederation had heretofore been opposed to a general conference; it now sanctioned and advised it. The States were at last effectually shaken from their indifference, and appointed delegates to attend at Philadelphia in May, to take part in the new Continental Congress.

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It proved a notable assembly,—more notable than the Congress of 1774; for its business was not protest but the reconstruction of a government, and it proved equal to the task. A certain very noticeable anxiety attended the opening of its sessions. The delegates came very slowly and tardily in. A full week had gone by after the day set for convening before so many as seven States were represented. The delegates from New Hampshire were two months late in arriving. It was evident at first that the members were nervous and set about their work of conference and debate with a touch of reluctance and apprehension. They knew that their business was critically important. It might be that the breaking up of their Union, or its consolidation, the setting in or the happy and final preclusion of civil war, would follow upon the completion of their labors. Affairs, and opinion, too, hung at a perilous poise, and might easily be turned this way or that by their success or failure.

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They gathered confidence, however, as they got hold of their task and gained knowledge of one another. There were fifty-five delegates in attendance at last: every State except Rhode Island had sent commissioners. Many of the more famous figures of the revolutionary time were missing. Samuel Adams had declared himself opposed to "a general revision of the Confederation." John Adams was in England. Jefferson was in France. Patrick Henry declined to attend. The men who had organized the Continental Congress and the Congress of the Confederation had in large part given place to others. Younger men had come forward, and were speaking with authority: men like James Madison, of Virginia, who was but just turned of thirty-six, and Alexander Hamilton, of New York, who was only thirty. But older men were there also, and it was reassuring to find how carefully the States had picked their representatives. Robert Morris was there, the experienced financier of the revolution; Roger Sherman was there, whose practical good sense had steadied the early counsels of the Continental Congress; and John Rutledge, whom South Carolina had made a sort of dictator in her affairs while the revolution held; and Benjamin Franklin, in his eighty-second year. Virginia had sent seasoned jurists past middle life, like John Blair, who had been president of her council, and George Wythe, who had drafted her protest against the Stamp Act; and had added George Mason, her best type of conservative country gentleman, and General Washington, as of course, as well as handsome Edmund Randolph and studious Mr. Madison, still in their thirties.

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Every day's debates gave strength and confidence to the counsels of the conference. There were many sharp differences of opinion among its members; but they held together, and a sound practical sagacity prevailed. Leadership among them fell to Madison, whose quiet suggestions always smacked of moderation and of a real knowledge of the subject in haud; to James Wilson, of Pennsylvania, whose shrewd Scots sense and thorough knowledge of law,—the law of nations and of governmental structure as well as the law every lawyer could talk of,—enabled him to clarify and strengthen every topic he touched; to Roger Sherman, of Connecticut, rugged, practical, hard-headed; to Dr. Franklin who could utter the mellow wisdom of age, and utter it in sentences men could remember; to Govenor Morris or Rufus King, who knew how to cast propositions for a vote—to the men who could think steadily and see things whole, or who could strike out practicable lines of definite action.

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The convention wisely sat with closed doors. It sat all the summer through, and until September was more than half gone; let no one know what it debated or had its doubts and its sharp differences of opinion about; merely published its work when finished, and went home to press it for acceptance. It gave it great dignity that Washington had presided over its counsels and was heart and soul for the adoption of the measures it proposed. His name and quiet force had steadied the convention on many an anxious day when disagreement threatened hopeless breach. His fame and influence infinitely strengthened also the measures proposed, now that they were completed. He supported them because they were thorough-going and courageous and cut to the root of the difficulties under which the country was laboring. Issue had been joined now, as he had wished to see it joined, between government or no government, and the country was to know at last where it stood in the most essential matters of its life.

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The convention had drafted nothing less than a new constitution—no mere amendment or series of amendments to the Articles of Confederation; a radically new scheme of government and of union, which must stand or fall upon its own merits. It was recalled, many years afterwards, how General Washington had stood in the midst of a little group of delegates, during the anxious first days at Philadelphia, while they waited for commissioners enough to justify them in effecting an organization, and had cried, "Let us raise a standard to which the wise and honest can rely. The event is in the hand of God." It was in that spirit that the convention had acted. They had not taken measures to please, but measures to save the country. The constitution which they proposed showed by its very simplicity and directness the statesmanlike vigor, definiteness, and consistency of purpose with which it had been conceived and drafted. It conferred upon the federal government powers which would make it at once strong and independent: the power to tax, the exclusive power to coin money, the power to maintain an army and a navy—the powers, within its sphere, of a supreme and sovereign government. Its laws were to be, not advisory, but imperative, and were to operate, not upon the States, but directly upon individuals, like the laws of any sovereign. It was provided with the executive the Confederation had lacked: a president in whose authority should be concentrated the whole administrative force of its government. It was to have its own courts, and in those courts, not in the courts of the States, were its powers to be finally determined, whenever challenged. The very equality of the States, that cardinal principle,—that cardinal defect,—of the Confederation, was in large part to be done away with The legislature of the new government, which was to be no confederation, but a veritable State built upon a federal principle, was to consist of two houses. In one, the Senate, the States were to be equally represented but in the other and larger house, the House of Representatives, the people were to be represented directly, by number,—one representative for every thirty thousand—counting them within their States, indeed, but not as if they constituted separate commonwealths. The new government was to regulate commerce, both with foreign nations and among the States. The States were to be forbidden to enter into any treaty, alliance, or confederation; to emit bills of credit; to pass any law impairing the obligation of contracts; and to lay any imposts or duties on imports or exports, unless permitted to do so by the Congress of the United States. All foreign affairs, all questions between State and State, all common interests were to be controlled by the federal government; and it was to act directly, of its own will and initiative, through its own officers and its own tribunals.

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In brief, every salient feature of the existing Confederation was in this new instrument of government condemned and rejected:—the absolute equality of the States, the dependence of the general government upon them for the execution of the laws and for its very support, its lack of an executive and of executive powers, its futile function of mere advice. Even so, the changes proposed did not satisfy Mr. Hamilton. He had been a member of the convention, had signed the document now sent forth, and meant to devote himself very heartily indeed to advocating its adoption; but he had taken very little part in its formulation because, as he had frankly told his fellow members, he himself desired something very different, which he knew he could not get. He had very little faith, he said, in federal government, or even in republican government, which it seemed to him impracticable to establish over so extensive a country as the United States. He could wish, he said, that the state governments, as independent political bodies, might be extinguished, or at any rate entirely subordinated; that the general government might be given "complete sovereignty" that the new executive of the nation might hold for life, and at least one house of the national legislature for a like term, "or at least during good behavior." His breeding was not of the colonies, his thinking marked him of the culture that belonged on the other side of the sea. He hated anarchy, and saw the country drifting into it. He believed that nothing short of a centralized government could be certainly relied upon to check and kill it. He was for efficiency rather than for sentiment. But he was above all a statesman, and contented himself, and that right heartily, with the minimum of what he desired,—with the government the convention had devised. He knew, as every one did who had been admitted to the counsels of the convention, by how sharp a struggle, by how delicate and difficult a series of compromises, the constitution as it stood had been obtained amidst the conflict of interests and of views disclosed in debate. The smaller States had assented to it only be cause the Senate was to preserve for them the old-time equality of the States in legislation. The slave holding States of the South had assented only when it was agreed that three out of every five of their slaves were to be counted in reckoning population as a basis of representation in the lower house. A compromise had ended every serious divergence of opinion. The wonder was, not that so little, but that so much concentration and invigoration of authority had been agreed upon where counsel and interest differed by the width of the poles.

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So far as the country at large was concerned, the new constitution was startling and radical enough as it stood. Patrick Henry, of Virginia, had refused to attend the convention because he had foreseen and feared just such revolutionary proposals. George Mason and Edmund Randolph, of Virginia, and Robert Yates and John Lansing, Hamilton's colleagues from New York, had refused to sign the constitution which it proposed. The new document was most revolutionary in the method which it proposed for its adoption by the States. There was but one way by which the Articles of Confederation, the existing federal law for which this was to be a substitute, could legally be amended: by the unanimous assent of the States. The convention proposed, nevertheless, that the new constitution should go into effect if adopted by nine out of the thirteen; and the Congress, seeing change probably impossible otherwise, sanctioned the proposal.

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Fortunately, there was nothing novel in the details of the government proposed. Every practical provision in it, almost without exception, had been borrowed from the experience of the colonies themselves, or from English experience equally familiar:—the single governor, the two legislative houses, the supreme court, the partial equality of the States, the representation of the people, popular elections, brief terms of office, definite, chartered powers. Even the electoral college which was to choose the President, had its prototype in the electoral body through which Maryland chose the members of the upper house of her legislature. The convention had showed its conservative temper in every provision it touched; and not much of what it had done had to be elaborately explained. Many of the States were ready to accept the constitution at once. Delaware ratified it on the 7th of December, but a little more than three months after the adjournment of the convention; Pennsylvania followed her example on the 12th, and New Jersey on the 18th. By the 1st of June, 1788, eight States had given their assent,—Massachusetts among them, though she had hesitated,—but New York and Virginia still held off. Massachusetts had waited until Mr. John Hancock and Mr. Samuel Adams declared themselves willing to accept the constitution and had suffered their choice to shift the balance of opinion. New York held off, as she had held off from granting additional powers to the Congress of the Confederation, because she did not wish to yield her commercial independence; and Virginia because men whom she loved, like Mr. Henry, and men whom she had been accustomed to trust in counsel, like Mr. Mason, feared to see so powerful a central government set up.

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New York yielded at last (July 26th), by a majority of only two votes out of fifty-seven, because Mr. Hamilton and the men who stood with him pressed every advantage of argument, influence, and persuasion,—and because news came that New Hampshire had accepted the constitution, the ninth State (June 21st), and that therefore the new government was quite certain to be tried without her. In Virginia the arguments of Madison and Randolph and Marshall and the personal influence of Washington prevailed at last (June 25th), notwithstanding the opposition of Lee and Henry and Mason. It was said in her convention that there were no safeguards in the new constitution sufficient to withhold the powerful government about to be set up from encroaching alike upon individual rights and upon the undoubted powers of the several States; and the opposition would have prevailed had not the ratification been coupled with resolutions which urged amendments which should constitute a sort of bill of rights,—amendments which the new government afterwards accepted.

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"The opinion of General Washington was of such weight," said Count Moustier the French minister to the United States, "that it alone contributed more than any other measure to cause the present constitution to be adopted." No doubt the country did feel, throughout, the compulsion of loyal sentiment that went with his name. No doubt it felt, too, the mastery of the men who stood with him to lead, and yielded, in part, to their tact, their quick concert, their energy, their infectious enthusiasm, their ardor of unhesitating conviction. But it was interest and the pressure of affairs which told most decisively in the vote. Each State had uttered its choice with regard to the adoption of the constitution through a convention chosen for the purpose; and it was noteworthy how the delegates stood divided. Those from the larger towns and the districts where hamlets and homes lay thickest, where commerce moved upon the rivers and to the sea; those from the farming regions which lay by tide-water or near the long rivers which crossed the boundaries of States and floated produce to markets within another jurisdiction; those who came from exposed frontiers where there was nothing to hope for from independence and much to hope for from a protecting common government—all who felt the wide movements of trade or the need for free markets or the too sharp pinch of rivalry between State and State or the imminent threat of division and disorder, to the unsettling of property and the upsetting of their lives, voted for the constitution. It was opposed by the men who lived remote from the centres of population and the stronger currents of trade, whose lives had no wide connections and sufficed them; by men who were more likely to be debtors than to be creditors and wished their States left at liberty to legalize a depreciated currency; by men whose homes were upon the western rivers which ran towards Spanish territory, not towards the ports of the East, and who doubted their real connection of interest with the seaboard; by the great land-owners of New York, whose estates shut free farmers out, who had been masters of the State hitherto and wished to keep intact her right to collect duties at her great port, her power to put her neighbors at a disadvantage; by conservative men who feared to see one group of States take advantage of their majority to obtain commercial ascendency over another group. "Tories" voted for the constitution because they hoped to be safer under it; many extreme "Whigs" voted against it because they thought that they would be a little freer without it. Those who admired a centred and efficient government like that of England and regretted separation, were its advocates; those who ardently preferred their own little commonwealths and looked upon them as their best field of prosperity or of personal ambition were its opponents. Men voted for it because they hated anarchy and confusion of authority and wished to see a nation created in America, as Mr. Hamilton did; and against it because they thought that where anarchy was impossible liberty was insecure. No doubt, could there have been a counting of heads the country through, a majority would have been found opposed to the constitution; but the men who were its active and efficient advocates lived at the centres of population, had the best concert of action, filled the mails and the public prints with their writings, were very formidable in debate and full of tactical resources in the conventions, could win waverers, and prevailed. North Carolina and Rhode Island alone rejected the constitution, waiting without to see what would come of the new union.

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It had been a notable thing to see how wide the discussion had swung which attended the drafting and adoption of the new form of government, through how broad a range of topics it had run, and with how statesmanlike a tone and thorough-going a method alike of advocacy and of opposition. It had produced pamphlets which, for sobriety and thoroughness, might some of them have served as manuals of free government, and for form and vigor as models of lucidity and force in the use of English prose. At the very outset of the Revolution at the first touch of national feeling, America had found her voice and produced of a sudden her school of statesmen and of writers. The strong emotions of the time had seemed to spring easily into words,—into words that told instantly upon men's spirits on both sides of the sea, and made themselves at once vehicles of power. Now a new strain, a new impulse, the strain and impulse of those who build and make good what they have achieved, was upon the leaders of the young States, and they spoke their chastened thought like masters.

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Very few men in America had used the pen for achievement or the satisfaction of the force that was in them until this supreme day of struggle came when a new nation was born and the very abstract principles of liberty entered into their imaginations and possessed their minds, like things that lived and had of themselves power to prevail. Men had not often turned to the making of books during the long days of settlement, when the colonies were a-making and every man's fire went into his work in the forests or upon the sea or in the conduct of affairs. Here and there some man of thoughtful spirit, bred to his books in old England, would turn again, for solace and relief of heart in that wilderness, to his studies, as gentle George Sandys did, Sir Edwin's brother, who had quickened the heavy nights at Jamestown with coining noble English verses out of the Metamorphioses of Ovid. Once and again some gentle woman, like Anne Bradstreet, of quick wit and thoughts that moved uneasy amidst her narrow, pent-up life, would seek outlet of spirit in bits of prose, that spoke her deeper moods, or verses into which she sought to put her image of the world. Men did not always merely preach, or speak only in town meeting, or put pen to pager only in letters of business. William Bradford, the peasant scholar who ruled Plymouth, wrote the moving narrative of his people's pilgrimage and establishment in the New World with the dignity of the true historian, minded to hand a great story on to men of other days. Mr. John Winthrop kept daily chronicle of what went forward in the little commonwealth in which he ruled a generation through like one who works upon the records of a great State and people. But there was in none of this the full breath of letters.

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Men wrote, for the most part, only to set some business forward, of church or state. It was thus that Captain Smith had written his True Relation of the first planting of Virginia, his Description of New England, and his General History of Virginia, Summer Isles, and New England, and that the many books, great and small, about the planting of the colonies had come into existence. Partisans of each enterprise set its merits forth; opponents foredoomed it to failure; those who had tried America and found it a bitter place to live in spoke out in ridicule, condemnation, slander against it. It was in a like tone, as of men who carry an enterprise forward in their words, that the governing divines of the New England commonwealths had uttered their treatises upon the workings of Providence and the disciplinary purposes of the established polity among them. Mr. Hooker's discourses rang always of man's salvation or of the affairs of state which must rule his conduct. Mr. Cotton's spoke always a purpose to govern men by the terms of his Puritan creed. Roger Williams wrote always of some matter that touched his mission as the founder of a free commonwealth or an evangelist among the Indians. Cotton Mather had set down, in his rugged Tudor prose, the judgments of God among men, as they had been revealed to him in the lives of those who had lived about him or in the affairs of the New England churches. Even their verses were but another engine of doctrine and reproof, when they made verse their vehicle of utterance, as did Michael Wigglesworth, the "little shadow of a man," more soul than body, who through half a century was pastor at Maldon.

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Not until that first century of initial strife and experiment had closed and a new age had come, with broader outlooks and airs of common enterprise, did any touch of genius lift letters to the levels of abiding power. In Jonathan Edwards the doctrine and philosophy of the Puritan churches found a voice which knew the full gamut of noble and effective speech. Every thought that he touched lived. His mind wrought always with a gift of creation. What he wrote was no longer the mere matter of the preacher; it was always living matter of thought as well, which searched meanings to their bottom, and was put forth to be reckoned with by every man who pondered aught of the weightier matters of his life. But it was spoken at the end of an age. The cool eighteenth century had come in. Men were beginning to ask, not for counsels of righteousness, but for common-sense maxims of conduct, for a philosophy of this world, not of the next; and were turning away from the religion, as they were turning away from the politics, of the age gone by. They stopped once and again to record what that age had done. Each little commonwealth could presently point to some quiet gentleman, like Mr. Hugh Jones and 'Mr. Robert Beverley in Virginia, and Mr. Thomas Prince in Massachusetts, who had made note of its history while yet the memory of it was fresh, its documents safe at hand. But the passion of the older time was no longer upon them. The spirit of another day turned men's faces to the future, rather than to the past. New affairs were afoot, new thoughts astir, and men who thought, thought upon the enterprises and the principles of their own day.

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Mr. Benjamin Franklin was their typical man of letters. That he was a man of letters seemed only an accident of his career as a man of affairs. His plain, straightforward, manly prose seemed with him an instrument of business. For all it had about it the flavor of his singular individuality and had an unmistakable touch of the nice art of speech upon it, it used everywhere the accents of the shop, the street, the lecture room, or the council chamber, and had seldom about it the free disengagement of letters. The homely saws and wise maxims of Poor Richard's Almanack had the true flavor of his career, and were as close to practical experience as he himself kept all his life through. His passion for physical science oftentimes took him, it is true, away from the work-a-day world into the realms of speculation; but science was for him, after all, but the experimental side of practical achievement in the arts and conveniences of life. He was a savant of the people.

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In the literature of the Revolution forces were released which transformed letters into an instrument of creation and brought nothing less than a nation into self-consciousness. It had had its beginnings in the protest against the Stamp Act, grave state papers, the addresses of colonial assemblies and of the Congress at New York, the arguments of jurists, and the letters of observant men of affairs. Here was the structure of an empire to be debated. The very scope and capital significance of such a debate called to the best minds of the colonies like a challenge. Pamphlets began to come from the press which showed quiet men unexpectedly turned statesmen and masters of style to state the case for the liberties of the colonies. Mr. Daniel Dulany's Considerations on the Propriety of Imposing Taxes on the British Colonies for the Purpose of Raising Revenue by Act of Parliament supplied the great Pitt with the chief grounds of his argument against taxing America. A Maryland lawyer had turned from leading the bar of a province to set up the true theory of the constitution of an empire, with the dignity, the moderation, the power, the incommunicable grace of a great thinker and genuine man of letters. Mr. Richard Bland, of Virginia, antiquary and mere jurist 'though he seemed to be, published an Enquiry into the Rights of the British Colonies, which put in blunt and bitter sentences what Mr. Dulany had said with restrained and sober eloquence,—that, and more besides. Mr. Bland did not hesitate to speak of Virginia as a "distinct and independent state," bound, indeed, in allegiance to England's king, but not bound to her Parliament; a dominion "settled by Englishmen at their own expense, under particular stipulations with the crown," and entitled to deal with the crown alone. Mr. Townsend's Acts of 1767 called forth a series of Letters from a Farmer in Pennsylvania to the Inhabitants of the British Colonies, into which John Dickinson had put the very heart of good sense and justice, to support the theory of liberty to which all America adhered, with an urbanity, a simple grace, a fine, natural power of statement which gave him instant place, on both sides of the sea, among famous Americans.

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It seemed quite in the order of nature that James Otis and John Adams in Boston should enter the lists to make themselves champions of the people's side in such an argument; and they wrote as they spoke, with a point and efficacy sure to win attention. It was much more significant that a like passion of speech should take hold of men hitherto withdrawn from popular leadership, for whom, it seemed, principles were the ultimate realities, not the mere play of affairs. And as the debate broadened, so did the volume of American letters grow. Her writers were serving their apprenticeship in the statement of the ideals by which she was to live. From the first Continental Congress came forth an earnest address to the King, sober memorials to the people of Great Britain and to the people of British America, and a solemn declaration of rights which were as firm, as moderate, as cogent in reasoning, as sagacious in method as if they had been the state papers of an ancient parliament. Men everywhere marvelled at their power of convincing statement, their telling force of quiet eloquence, as coining from a people without any writers, except Dr. Franklin, that anybody had heard of. There was here a breeding in letters which no man could well comprehend who had not breathed the keen airs of political inquiry moving upon the coasts of America.

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Presently there was the air of revolution, too. Pamphlets which argued with slow and sober power gave place to pamphlets which rang with passionate appeals; which thrust constitutional argument upon one side and spoke flatly for independence. One such took precedence of all others, whether for boldness or for power, the extraordinary pamphlet which Thomas Paine, but the other day come out of England as if upon mere adventure, gave to the world as Common Sense. It came from the press in Philadelphia early in January, 1776, the year the Congress uttered its Declaration of Independence, and no writing ever more instantly swung men to its humor. It was hard to resist its quick, incisive sentences, which cut so unhesitatingly to the heart of every matter they touched; which spoke, not the arguments of the lawyer or the calculations of the statesman, but the absolute spirit of revolt, and were as direct and vivid in their appeal as any sentences of Mr. Swift himself could have been. They were cast, every one, not according to the canons of taste, but according to the canons of force, and declared, every one, without qualification, for independence.

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Upon that, issue was joined. Men like Mr. Dickinson and Mr. Dulany drew back, and pleaded for the peaceful ways of constitutional agitation. Men like Joseph Galloway threw their sturdy power upon the same scale. Samuel Seabury, "The Westchester Farmer," had already written letters against the extreme courses of the Congresses of 1774 and 1775 which were as difficult to answer as those of Mr. Dickinson himself, and men drew from them very effective weapons of controversy as affairs thickened towards revolution. Men mustered now upon that side who were very formidable, whether for influence or for skill and persuasiveness as advocates, among the rest the redoubtable Jonathan Boucher, the robust preacher who was General Washington's friend: who had met Washington in mid-stream of the Potomac as he fared to the Congress at Philadelphia and had warned him very solemnly to beware what he did to make cause against the King's government in England. Issue joined, passion was the more quickened. There was vehement give and take. The sting of satire and invective was added to the bitterness of conflicting views upon this vital matter which must involve all men's fortunes, and many used in ugly temper the worst weapons of abuse. Friends parted company in hopeless alienation. Men fought for their mere good name who resisted the rising spirit of the revolution. It was no light matter to come under the lash of verse-makers like Philip Freneau, whose satire burned like the flames about a stake. It was almost as hard to face John Trumbull's stinging jests, touched sometimes with mirth but never with pity. These men were masters of their weapons, and wielded them with a certain grim pleasure. Perhaps Philip Freneau might, in some other age, have struck into the fine, sweet tones of genuine poetry; strains came now and again from his pen which marked him a poet with the real gift of song. But

"An age employed in pointing steel

Can no poetic rapture feel,"

and he spent his force upon bitter satire, whose voice the men of his day welcomed and applauded. The passion of such a time could yield nothing more gentle. Men's ears were not waiting for music. They spoke to give their speech efficacy as an instrument of action. The very private letters of the time read like minor pamphlets, ran always upon some theme of public concert in affairs, upon principles and measures, and were grave bits of counsel. Heads of colleges, like redoubtable John Witherspoon, of Princeton, kept the field in this fight for principles of government; Timothy Dwight, whom Yale afterwards preferred to her presidency, wrote its songs of war.

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And so a generation was schooled for the making of a nation and the framing of constitutions: a generation bred to the debate of polities and the acute discrimination of principles of government; bred also to the severest and most analytical forms of discussion, and to the statement of political reasoning in words which told upon the mind like a demonstration. It was such a generation that debated the setting up and constitution of the Confederation, its weakness, the significance of Shays's rebellion and of the disorders, some obvious, many obscure, which followed the war, the necessity for a new and better form of union, and the character of the government it ought to be provided with.

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The chief part in the critical discussion of the constitution proposed by the convention of 1787 fell, of course, to the leaders of the several state conventions which met to consider its adoption or rejection. But there came also a flood of pamphlets from the press, and the newspapers of the seaport towns teemed with letters from men whose every line showed how schooled they had grown in the art of assessing questions of government. Public opinion had first to be dealt with before the state conventions should come together. There were opponents of the new scheme of union as ready to speak out as its advocates, and they spoke with a certain advantage of argument on their side. They could very easily make it seem, both to themselves and to those whom they addressed, that they were but continuing their advocacy of the principles of the Revolution in opposing the creation of a central government likely to command them as they had but just now refused to be commanded by the immemorial government of the King over sea, a government made sacred by old allegiance. But the victory was again with those who concerted action. The most notable papers of the whole controversy were the eighty-five Federalist letters addressed, in quick, unbroken series, to "The People of the State of New York" from the columns of The Independent Journal, The New York Packet, and The Daily Advertiser during the weeks which intervened between the promulgation of the text of the constitution and the assembling of New York's convention.

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Each letter bore the signature Publius, but the series was in fact written by three several authors. Those which analyzed the general powers of the proposed government, those which sought to make clear its historical and theoretical foundations, and many of those which expounded its details, were the work of Mr. Madison. Mr. Hamilton examined, in his thorough-going, unanswerable way, the defects of the existing Confederation, such of the details of the constitutional convention's plan for the reconstitution of the government as Mr. Madison had not the time to develop, and those general conceptions of government which he handled so like a master. Mr. Jay discussed the fitness of the new government for dealing with the foreign relations of the States. What distinguished these papers from all the rest with which printers and politicians were so busy was their breadth of view, their fine temper, their range of topic, their texture woven both of fact and principle, their candid and yet conclusive comment upon every matter that could be drawn into controversy. They read like what they were, the utterances of statesmen—of statesmen drawn for the nonce out upon the general field of the theory and practice of government. It was easy to see in reading them how Mr. Madison had served and guided the convention at Philadelphia, and how Mr. Hamilton might have served it, had he liked its work while in progress as heartily as he now accepted and advocated it. These papers were henceforth to be the chief manual of all students and historians of the constitution. And their style, with its unfailing lucidity, its cogency without artificial emphasis, its unmistakable distinction and elevation of tone, matched their matter. This was the masterpiece of letters in the sober kind bred by revolution.

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No man could say whether argunment or interest had won the fight for the constitution; but it was at least certain that nothing had been done hastily or in a corner to change the forms of union. These close encounters of debate had at least made the country fully conscious of what it did. The new constitution had been candidly put through its public ordeal. All knew what it was, and for what purposes it was to be set up. Opinion had made it, not force or intrigue; and it was to be tried as a thing the whole country had shown itself willing to see put to the test.

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Fortunately, there was one "Federalist" leader whom all the country trusted, and against whom even the bitterest opponents of the new constitution hesitated to speak in malice or detraction. The choice of men everywhere turned spontaneously to Washington as the one man who ought to be first President of the United States. The constitution provided that electors should be chosen in the several States, and that by them a President and Vice President should be selected. Their votes were to be sent to the Congress, to be opened and counted in a joint session of the two houses. The 4th of March, 1789, had been set as the day for the convening of the new Congress and the inauguration of the government; and New York was the place appointed. But the members were laggard and tardy, as they had been at Philadelphia when the constitution was to be framed. It was the 6th of April before they found a quorum and counted the electoral votes. On the 7th they sent Charles Thomson, who had been clerk of every Congress since 1774, to Mount Vernon to inform General Washington that he had been unanimously chosen President. By the 27th Washington was in New York, ready for his duty. He had come with unaffected reluctance. He called himself a mere soldier, and an old man besides; doubted his civil capacity; and coveted peace and retirement. But he had known it his duty to come; and on the 30th he was inaugurated President of the United States.

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The first thing to be done was to give the new government dignity, vigor, and prominence, lest it should inherit the taint of contempt which had fallen on the Confederation. It was the office and authority of the President, rather than the increase in the powers of Congress, that constituted the chief difference between the new government and the old. It was to be a government which could not only make laws, but execute them also; and Washington knew that no small part of its efficacy and prestige must depend upon him, its Executive. "I walk," he said, "upon untrodden ground. There is scarcely an action the motive of which may not be subjected to a double interpretation. There is scarcely any part of my conduct which cannot hereafter be drawn into precedent." He must, he saw, mix prudence with firmness, conciliation with command, a reasonable accommodation with the strict execution of the law; and yet not abate the new authority. The new constitution had yet to prove itself acceptable; the new government had yet to win respect. No sentiment attached to it. It must be begun amidst curiosity rather than reverence; in a cool air almost of indifference; without many warm partisans of the rank and file; as an experiment, lacking yet for some time the dignity of an institution.

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In such circumstances questions of etiquette assumed the importance of questions of statecraft. The President insisted, first of all, upon personal precedence. He would receive but not make calls, would give invitations but not accept them; the representatives of foreign governments must deal with him, not directly, but through the Department of State, the country's new foreign office; the governors of States, when he travelled, must call first on him, not he first on them. He made a point of visiting different parts of the country when he could, in order that the people might everywhere have visible proof of the existence and of the dignity of the President, the head of the nation. He practised no foolish seclusion. It was inbred in his principles that he should serve the people in true republican spirit, without affectation or pretension. He walked the streets like other men; rode forth for his exercise on horseback, as was his Virginian habit; was but little more punctilious in dress and manner than he would have been at home. But the natural majesty of his person, his habitual gravity, his breeding in a formal society, the impression he made upon every one of a man of high passion self-controlled, inevitably gave him distinction, and magnified his office in the imagination of all who saw or dealt with him.

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It was easier for him to play his own part of quiet authority and matter-of-course precedence than to fill the new offices of federal administration with men who could lend a like flavor to the conduct of affairs. Ambitious men looked askance upon the new government; preferred the service of their States, if they wished political office at all; had to be persuaded to take federal office, and were asked to say nothing of the offer and refusal if they declined it. Fortunately, there were not many offices to be filled; and for these efficient men were found. The Congress created but three administrative departments at the outset: the Department of State, the Department of the Treasury, and the Department of War; though it provided also for the appointment of an Attorney General. Washington chose Thomas Jefferson to be Secretary of State, Alexander Hamilton to be Secretary of the Treasury, General Henry Knox to be Secretary of War, and Edmlind Randolph to be Attorney General. Mr. John Jay he made Chief Justice of the Supreme Court of the United States. His strong desire was to join parties in a common support of the general government—join them at the outset, when their formation was but foreshadowed, not yet hardened to a definite purpose. Alexander Hamilton the whole country knew to be one of the chief advocates of the new and stronger government; General Knox, too, was an avowed "Federalist," as well as a close personal friend of General Washington's; but Mr. Jefferson, who had been in France when the constitution was framed and adopted, came rather lukewarmly to its support, and Mr. Randolph, though he had stood for its adoption, with Mr. Madison, in the Virginian convention, had favored it rather as a sensible politician than as an earnest friend. Mr. Jay was known to be a Federalist.

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When parties formed it would be in Congress; and the elements there were not difficult to reckon. There were but eighty-one members, all told: in the Senate twenty-two, in the House fifty-nine, until Rhode Island and North Carolina should come into the Union. It gave weight to the administration that John Adams had been chosen Vice President, and stood with all his sturdy frankness for Federalism, and represented, besides, distinguished national service, both at home and abroad. He had been the first minister of the new republic at the court of St. James, and had made himself and his country respected there, alike for statesmanship and for integrity. He had been at Paris and at The Hague, always alert, always serviceable, always efficient, if never quite genial or attractive, and brought with him to his new duties in New York the excellent traditions of his State in politics and morals.

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There were marked differences of opinion in the houses from the first: some were inclined to a very liberal construction of their new powers under the constitution; others cried a warning against it, and pressed very earnestly for methods which should above all be conservative, and hold all things to a moderate course. It was easy to see how parties could form—were forming; but as yet they revealed themselves only vaguely, and legislation moved unembarrassed.

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The task of the new Congress was nothing less than the organization of the government. By an act of the 24th of September, 1789, it definitively set up the Supreme Court for which the constitution had provided; giving it a membership of six justices, of whom one should be Chief Justice. Its statutes erected the Departments of State, War, and the Treasury; created the office and functions of Attorney General; put the military establishment upon a modest peace footing; and confirmed the regulations which the Congress of the Confederation had made with regard to the government of the Northwest Territory ceded by the States to the general government.

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Its measures of policy affected the whole action of the government in the matters most likely to give it strength and credit; and even the operation of the constitution itself. Virginia was not the only State which had given its assent to the constitution upon the virtual condition that so soon as the government went into operation amendments should be adopted which should explicitly safeguard the more essential rights of individuals and of States. North Carolina, South Carolina, New York, Massachusetts, and New Hampshire had also urged amendments; and those who had been the chief advocates of the constitution in their several conventions had virtually promised that amendment should be undertaken at the earliest practicable moment. The Congress, therefore, promptly proposed twelve amendments; and of these twelve the States accepted ten. Eight of them ran in the phrases of Magna Charta, the Petition of Right, the Declaration of Independence, and the Virginia Bill of Rights; the principles they embodied had come out of the long processes of English constitutional history, out of the precedents of English courts and the practice of English justice; out of charters and constitutions and ancient parliamentary protests. They made secure against federal encroachment the rights of individuals in respect of religion, freedom of speech, military service and the use and maintenance of armies, search warrants, trial in accordance with fixed law and by the judgment of juries, criminal accusations, the inflicting of punishments, and the exaction of bail. The ninth provided that "the enumeration in the constitution of certain rights should not be construed to deny or disparage others retained by the people." The tenth declared that "powers not delegated to the United States by the constitution, nor prohibited by it to the States, were reserved to the States respectively or to the people."

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So much Congress did to keep faith with the country and to clear the constitution of even the suspicion of a character unfavorable to liberty. Its other measures were intended, not to justify or excuse the new government, but to give it efficiency. It was by common consent the chief business of the session to set the finances of the country effectually to rights and to regulate commerce: to give the new Union unquestionable standing in the markets and the banks of the world. Congress put itself in these matters under the guidance of Hamilton. The advice given by the young Secretary was characteristic alike of his capacity and of the purposes which he entertained with regard to the government. And he declared his views with characteristic candor and directness. "To justify and preserve the confidence of the most enlightened friends of good government; to promote the increasing respectability of the American name; to answer the calls of justice; to restore landed property to its due value; to furnish new resources both to agriculture and commerce; to cement more closely the union of the States; to add to their security against foreign attacks; to establish public order on the basis of an upright and liberal policy; these," he said, "are the great and invaluable ends to be secured by a proper and adequate provision at the present period for the support of the public credit." In a series of carefully considered reports in which he showed himself, as always, a consummate master of constructive argument and of that sort of exposition which itself convinces,—reports on the public credit, on the excise, on the establishment of a national bank, on manufactures,—he proposed that a tariff act be passed which should incidentally protect and encourage domestic manufactures; that the foreign debt of the Confederation should be assumed and paid in full; that the domestic debt of the Confederation, also, though it had long ago fallen below par and had largely passed into the hands of speculators at an enormous discount, should nevertheless be paid at its face value; that even the debts which the several States had incurred during the Revolution should be assumed and paid by the federal treasury; and that a national bank should be established to serve as the fiscal agent of the government. Each of these proposals in turn Congress acted upon and adopted,—not, of course, at once and without debate: only after severe and even bitter contests, indeed, which ran through two annual sessions, and by majorities which grew narrower and narrower with each vote until they dwindled and were lost altogether, to be regained again only by an adroit parliamentary bargain;—but adopted, nevertheless, and made the deliberate policy of the government.

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Here was more than conservative men could digest. Even Madison, who in most things led the houses, as he had led the constitutional convention, hesitated and drew back. Jefferson protested, with rising heat, in the cabinet and out of it. Parties began to gather definite creed and purpose, and divided upon lines which grew more and more fixed and clear. It was undoubtedly Hamilton's purpose to draw men of wealth and property to the support of the government by means of his financial measures: to give them definite reasons for wishing it to succeed, and for determining to stand by it until it did succeed, building for the government a great backing of interest; and that of itself condemned what he did in the eyes of some. It seemed to make what he proposed legislation for a class: for a class which did not always prefer the interests of communities to its own. More than that, some of the measures which Congress had adopted, notably that which established a national bank, involved a doctrine of powers implied, as well as of powers explicitly granted, by the constitution. The new government had looked formidable enough with the powers explicitly granted; who should say where the elaboration of its powers would end if still others were to be drawn forth by implication? The constitution nowhere explicitly gave Congress the right to create a corporation, like the new Bank of the United States. Hamilton argued that that right was included under the clause which gave it power to make all laws which should be "necessary and proper for carrying into execution" the powers specifically granted; because he held that the Bank was a necessary financial agent in the handling of the federal funds. But whither would the country be led if men of Hamilton's school in politics were permitted to interpret the word "necessary"?

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Those who had opposed the constitution because under it the authority of a common government could command the financial policy of the States, and those who had opposed it because it subordinated the States in every chief matter of politics and made of them fractions instead of integers in the political life of the country, had, of course, been ready from the first to stand against Mr. Hamilton and his policy of concentration. When his whole plan was disclosed many Federalists also drew back, with Mr. Madison, fearing whither they should be led by the doctrine of implied powers which the young Secretary thus so boldly pressed at the very outset. Many a sign of sharp reaction gave the Federalist leaders plain warning of what they might expect, should they persist.

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Mr. Jefferson became the real leader of the new party of opposition, even before he left the cabinet: at first covertly, at last openly; giving it the name Democratic Republican, which savored of the Rights of Man and took men's thoughts over sea to the sharp struggle for liberty then ablaze in France; giving it also organization and the spirit of party, like the master of men he was—philosopher and politician in equal compound. But Washington accepted the leadership of Hamilton, as Congress did, and for a time nothing could withstand the purposes of those who meant to make the new government strong, national, and permanent. When two years had gone by (1791) a new House was chosen, and in part a new Senate; but the Federalists still kept their ascendency in most of the constituencies, and the first policy of the government was not stayed.

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Meanwhile North Carolina (November 21, 1789) and Rhode Island (May 29, 1790) had come into the Union, and the original roster of the States was complete again. Two more States were presently added: Vermont,—"the New Hampshire Grants," territory which New York and New Hampshire both had claimed,—in March, 1791, and Kentucky, Virginia's lusty and restive offspring, in June, 1792. Whatever doubts of policy or contests of party marked those opening days with threat of divided counsels, the Union was at least established,—was already expected to last. Kentucky's incorporation within it showed that the hopeful West was turning to it. Public questions touched its measures, but had already ceased to touch its life. A veritable government had at last been set up to hold the country together. It had been "a novelty in the history of society," as de Tocqueville said, "to see a great people turn a calm and scrutinizing eye upon itself, when apprised that the wheels of government had stopped; to see it carefully examine the extent of the evil, and patiently wait until a remedy was discovered, which it voluntarily adopted, without having wrung a tear or a drop of blood from mankind." But this the people of America had done, under the men who had called upon them to amend the Articles of Confederation and provide themselves with a real government: under the men who, with Washington, had set that government up and given it immediate credit and standing in the world.

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The general authorities for this period are the sixth volume of Bancroft's History and his History of the Constitution; the third volume of Hildreth; the second volume of Timothy Pitkin's Political and Civil History of the United States; the first volume of George Tucker's History of the United States; John Fiske's vivid Critical Period of American History; George Ticknor Curtis's Constitutional History of the United States, History of the Origin, Formation, and Adoption of the Constitution, and The Constitution of the United States and its History, in the seventh volume of Winsor's Narrative and Critical History of America; John B. McMaster's History of the People of the United States; Francis N. Thorn's Constitutional History of the American People and Constitutional History of the United States; Richard Frothingham's Rise of the Republic of the United States; Judson S. Landon's Constitutional History and Government of the United States; C. Ellis Stevens's Sources of the Constitution of the United States George Gibbs's Memoirs of the Administrations of Washington and Adams; Edward Stanwood's History of the Presidency; J. P. Gordy's History of Political Parties in the United States; and Joseph Story's Conmentaries on the Constitution of the United States. Hermann von Hoist's Constitutional and Political History of the United States and James Schouler's History of the United States of America under the Constitution here begin to serve us as guides and mentors.

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The sources are to be found in the published writings and correspondence of the leading men of the time; the Annals of Congress; Jonathan Elliot's Debates on the Federal Constitution; The Federalist; Thomas H. Benton's Abridgment of the Debates of Congress; the federal Statutes at Large; The American State Papers; Niles's Weekly Register; H. D. Gilpin's Papers of James Madison; Paul L. Ford's Pamphlets on the Constitution of the United States and Essays on the Constitution; Thomas Jefferson's Anas; and William Maclay's Journal, covering his service in the first Senate of the United States.

Chapter 3:

A Nation in the Making

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GENERAL WASHINGTON'S first administration gave tone, direction, and presumption of permanence to the new government. His second term steadied it amidst its first serious difficulties, and gave the country a wholesome taste of its vigor. The vote of the electors was unanimous in 1792, as it had been in 1789, in choosing him President, and the seventy-seven votes which they cast for Mr. John Adams made him Vice President a second time by a safe majority. The congressional elections which accompanied the choice of the electors showed, it is true, an unmistakable reaction of opinion against the strong and systematic measures by which the Federalists had put Mr. Hamilton's programme into execution. The majority in the new House of Representatives consisted of men inclined to follow Mr. Jefferson in the formation of a distinct party of protest, if not of opposition; though the more slowly changing Senate showed still a preponderance of Federalists. But General Washington still seemed to all the safest leader in affairs, the only possible guide and mentor in those first days when all things were yet to be brought to a stable order and a wise way of government.

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It was a notable thing how a minority prevailed in all active policy and managed to keep affairs in its own hands,—the same minority whose sagacity and vigor and concert in action had secured the formulation and adoption of the constitution. The war for independence had been a democratic upheaval, and its processes had seriously discredited all government which was not directly of the people. It had made local committees of correspondence the real organs of opinion. Town meetings and the people's representatives in the provincial assemblies had originated policy, while it lasted, with an almost sovereign freedom of choice and had kept their sovereignty when the war closed. Almost everywhere, except in Virginia, a majority of the leading families and of the professional classes of the colonies had thrown their influence against the separation and independence which the popular leaders demanded; against the trial of an out-and-out people's government without king or parliament or ruling class to moderate and offset the sway of democracy; and when the end of the struggle came those whom the country had been accustomed to see lead in its commonwealths abandoned it in extraordinary numbers forever, preferring Canada and the Indies and the old country over sea, where government still kept the form and dignity and aristocratic flavor to which they were attached. Men enough of the classes hitherto honored and privileged remained to hand on the old traditions of initiative and service and authority which wealth and training and social influence had formerly secured; but the end of their predominance was plainly at hand. Aristocratic privilege and the natural precedence of birth and breeding were sadly discredited. The mass of common men had put their own leaders forward, had acted for themselves in town meetings and in voluntary organizations of their own, with regard to matters of the greatest scope and consequence. Power had plainly been levelled; equality had become the cardinal principle of politics local autonomy and direct elections the standards and models of political organization. The central government which the constitutional convention of 1787 had devised and to which Washington and Hamilton had given power and authority had plainly been set up as if by reaction, to offset the heady autonomy and turbulent democracy of the people's commonwealths. Many of the cherished ideals of a democratic revolution seemed lost and given up by its successful establishment; and the Federalists, with their frank preference for the old vigor of authority their undissembled contempt for pure democracy were not likely very long to maintain themselves in the people's favor. Mr. Jefferson found men eager to put a check upon them and restrict the new government to a more modest scale of power. The minority were only temporarily in the saddle. They were permitted to rule only because of their vigor and efficiency, and the need to employ them in order to give definite shape to the government which they had originated.

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It was a rural nation which had drawn together into this novel union,—a nation without aristocratic example now that its connection with England was cut off; with nothing but its own simple needs, naive preferences, and manifest convenience to consider, now that it was no longer part of an extended and various empire. It had been obliged, because convinced by the unanswerable arguments of tumult and of ugly reprisals of State upon State, to set up at its centre a real government again, to take the place of the government over sea from which it had broken away: a government with an authority of its own which was likely to be even more efficacious in holding them together in a cooperative union than the authority of the King and Parliament. But, though opinion had reluctantly consented to that, it by no means followed that it would consent to see the new government given a scope and vigor such as Mr. Hamilton, with his notoriously high notions of prerogative, wished to confer upon it. The people could not, it is true, of a sudden shake off their life-long habit of following those who had always seemed their natural leaders. Their society was old; their commonwealths were compact of law that was rooted deep in the past; their thoughts were stuff of old tradition. Noble gentlemen who were of the gifts and breeding which had so long made the chief families among them seem a sort of privileged and authoritative class, to be looked to as of course for guidance had endeared themselves to them anew by their cordial espousal of the popular cause and by their indispensable capacity in its successful promotion; had still an unmistakable prestige in affairs. But their governments had long been in fact democratic, and were now democratic in form also, and the privilege of leading could not much longer be monopolized amongst them.

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And that notwithstanding the prescriptions of their law. Under the laws of the colonies only a minority of the adult male residents in each community had been allowed to vote—those who held some not inconsiderable amount of property; and still fewer had been allowed to hold office—the ownership of a still larger amount of property being prescribed as a qualification for candidates for political office. Most of the one-time colonies had transformed themselves into States upon their assumption of independence by an entire reformulation of their fundamental law; and some had modified it still further before the new central government over which General Washington was to preside had been set up; but the basis of their suffrage they had in most cases left substantially unaltered. It was still necessary that every voter should be a freeholder, or the possessor of an estate of (say) fifty pounds value, or at the least a tax-payer. Rhode Island and Connecticut had kept their colonial charters as their State constitutions and left their law substantially unchanged. There were probably not more than one hundred and twenty thousand men who had the right to vote out of all the four million inhabitants enumerated in the first census (1790). In 1792 Kentucky was made a State of the Union, and her constitution, with its frontier liberality, said nothing about any qualification for the suffrage except the qualifications of age and residence; but Tennessee, which came into the Union as a State four years later, though no less a frontier community than Kentucky, required by her constitution that voters should be owners of freeholds. There were also in almost every State property qualifications for membership in the lower House of the State legislature; and ownership of a very considerable amount of property was so universal a prerequisite for election to the Senates of the States that they were looked upon as bodies which of intention represented the propertied classes. Both by law and by ancient custom wealth and social consideration carried with them also political privilege.

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But law and custom already felt in these matters the pressure of opinion. The party that was gathering about Mr. Jefferson purposed, among other things, the levelling of political privilege. The spirit of the rural nation was against social distinctions. The essential simplicity of its life made pretension ridiculous; the free movement of enterprise throughout its borders made the individual man, with or without property, if only he possessed energy and initiative, the real and only constant unit of power; and the new nation was not long in showing that it wished its government conducted with the economy, simplicity, and plainness of the individual man. There had been a significant flurry of excited comment when the first Congress under the constitution debated whether in official papers it should speak of the President of the United States as "His Highness" or "His Excellency," or confer upon him some other title of even greater semblance of rank and dignity. "Does the dignity of the nation then consist," Mr. Tucker, of South Carolina, had cried, "in the exaltation of one man and the humiliation of all the rest?" It raised a very storm of angry and even abusive comment when the houses voted their first salaries Bill, which gave to the President twenty-five thousand dollars a year, to the Vice President five thousand, to Senators and Representatives six dollars a day during the sessions of Congress, and to the Speaker of the House twelve dollars. It was known that General Washington would decline to draw his salary, and that while he remained President the salary voted to the chief magistrate would be merely nominal; but the bill fixed the salary for subsequent incumbents of the office, and it was very generally condemned for its wilful extravagance.

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The Congress felt the air of opinion out-of-doors very sensitively, and the President and his advisers sometimes found now the one house and again the other in a singular mood of uneasiness or suspicion. The Federalists who gathered about General Washington were watched very narrowly to see that they formed no "court" about the President and accumulated no private stock of privilege in their managing coteries. Their more democratic opponents made merry over their affectations of social preference and their manners copied from an aristocracy over sea; and their mirth had in it oftentimes a touch of sardonic bitterness. The prejudices of such critics were based upon their own radically simple lives. Their fears of plots and usurpations, of aristocratic pretension and the insidious bringing in of notions of government which would be more suitable for a monarchy than for a democratic republic sprang wholly from what they knew and had had taste of from a very different world across the sea. A spectre of tyranny stalked always somewhere in their forecasts of the future and in all their uneasy criticisms of the present. Their governors found it necessary not only to be but also to seem servants, not of one class or of any special interest, but of the whole people.

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No society could have been more radically and essentially democratic. Agriculture, the northern fisheries, and the commerce of their ports,—their crops, their timber, their fish salted for the world, their ships showing their sails upon every coast,—summed up the chief interests of the little country commonwealths, more forest than field, more wilderness than plotted ground. Not a little of their clothing their people made for themselves out of their own flax and hemp, besides felt for hats, their own shoes, and many a pair of breeches of leather or buckskin. But English law had forbidden the export of such goods while they were colonists, which was but yesterday; and had made anything beyond the necessary spinning of the household a thing useless and unprofitable. Ships were built in every colony, but they carried only breadstuffs or lumber or shingles or tobacco or indigo in bulk. Not until the year of the constitutional convention (1787) had any considerable quantity of cotton even been gathered for export. It had for long seemed little more than an ornamental plant, a curiosity of the garden.

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And even at the ports tradesmen and shippers and money-lenders and mechanics gathered in no great numbers. There were but six cities of noticeable size in all the country. The South, which held half the population, had but two, Baltimore and Charleston; and the population of these, added to the population of Philadelphia and New York and Boston and Salem, the other four, made up a total of only one hundred and thirty-one thousand all told. Virginia, with one-fifth of the total population of the country, had as yet no city at all. There were only five daily papers in the country, and these could not be sent in the mails because of their bulk and the heavy rates of postage. There were but seventy-five post offices the country through, and few of these saw the weary post-rider more than twice a week.

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It was notable, nevertheless, how the population of the country taken as a whole had grown, despite the wars and the doubts and hazards of fortune which had marked the troubled time. When the war for independence began the people of the colonies had probably not numbered more than two millions seven hundred and forty-three thousand, counting black and white, slave and free. When the first census under the constitution was taken, in 1790, there were found to be very close upon four millions, an increase of quite twelve hundred thousand within the brief space of those fourteen troubled years. But the new men who came into the reckoning did not swell the population of the towns at the ports. They for the more part took up land and became freeholders in that free society, and added their force to the power of the new democracy, making a nation which must be governed upon principles of equal privilege or not governed at all.

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The political weather held very fair until General Washington had a second time been made President. A little jealousy; an occasional discourtesy on the part of state officials who did not wish to yield in any point of dignity or precedence to the officers of the new government; a burst of hostile criticism now and again because the new Congress seemed to go too fast in its assumptions of authority or in its expenditures; annoying difficulties in getting men of right principle and first-rate capacity to serve as subordinate officials of the federal government; petty embarrassments without number beset the novel government of the Union, because it was new and as yet had its place and its methods to establish. But Washington's wise way of being firm; his striking bearing in every matter which touched authority or precedence, half gracious, half austere, wholly commanding; his sensible moderation in counsel and straightforward vigor in action made such things of little consequence. The way in which the majorities necessary to carry Mr. Hamilton's measures for the financial support of the government had dwindled from vote to vote in the Congress was the only sign that had looked ominous.

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A serious crisis had the fact been reached when it came to a vote on the proposition that the federal government should assume the war debts of the States. The southern members resolutely opposed the measure. Some States owed much more than others of the sum total which it was proposed all should pay. Some had already paid a portion of what they owed, and would lose outright what they had paid should the debts be assumed by Congress. The southern members did not wish either to admit the inability of their States to pay their debts or to make the federal government a general providence for the whole country in matters financial, and a patron and friend, besides, of the money-lenders; and their opposition defeated the measure by the narrow majority of two votes. The northern members were as resolutely determined that the measure should pass; and the heat of the debates and the bitterness of those who had lost in the vote gave to affairs for a moment almost a tone of revolution. Mr. Hamilton cleared the storm by a sudden stroke of astut management. The southern men were anxious that the federal district which the constitution had directed should be secured as a site for the Union's capital should be laid out on the shores of the Potomac, within their easy reach and at a safe distance alike from the importunate merchants and money-lenders of the eastern ports and from the too philanthropic Quakers of the middle States, with their troublesome and impracticable agitations for the abolition of slavery. Mr. Hamilton arranged that the two measures should be associated, the assumption of the debts and the selection of a federal district. Two Virginian members consented to vote for assumption if the northern members would vote for a capital on the Potomac; and both bills were passed.

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Since 1785 New York had been the seat of the federal government; and there the new government of the Union had first been set up. It was now decided (1790) that the government should be transferred to Philadelphia, the seat of the first Congresses of the Revolution and of the formal Confederation, until a capital of its own should be ready on the Potomac.

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In Philadelphia, where the Confederation had been set up and the first councils of the Revolution held, the new government also saw its first years of stress and trial. Its sharp and trying test came the year Washington was for a second time made President ; and came from over sea,—a test alike of its motives and of its strength. That year the French revolution came to its keen pitch and passionate crisis.

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It was the year of the Terror, and of wars which swept Europe like winds of destiny. But the Terror came at midsummer. Early in the year men in America knew only that France had gone the full length of revolution; that the monarchy had been abolished, the king sent to his death, a republic set up, and a new experiment like their own, an experiment in human liberty, begun, with all Europe to fight in order to make it good. No one in Europe doubted that America would cast in her lot with France in this day of her hope and sally for freedom, if only to requite the inestimable service France had done her in her own time of aspiration and struggle. No one in America doubted it, either, who merely gave rein to sympathy and thought nothing of the consequences. But Washington saw what the consequences would be; and his was the responsibility. His cabinet was unanimous in its agreement with him that the young republic, as yet without assured power or established friendships in the world, its own government still in its first stages of experiment, must stand neutral in European wars. Even Mr. Jefferson, though chief of the party whose passionate sympathy with the French revolutionists now stirred the quiet country from end to end, though himself touched at every point of thought by the speculations which were the principles of the revolution over sea, voted with his colleagues that the United States must stand aloof. France was at war with Prussia and Austria; with the spring news came that the circle of the spreading conflict had reached England and Spain; through England the flame might touch America. On the 22d of April, accordingly, the President issued a definitive proclamation of neutrality, drawn and signed by Jefferson himself, as Secretary of State. English troops still held the posts on the northwestern frontiers; Spain commanded the lower courses of the Mississippi. To go to war with England and Spain would be to renew all the peril of the struggle for independence. No prudent man among those who now supported Washington in his delicate task of giving the new government form and strength and character doubted either the wisdom or the opportuneness of the proclamation of neutrality.

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But the very day the newspapers of Philadelphia printed the significant and imperative proclamation "Citizen" Genet reached the city, the accredited minister of the French Republic to the United States. He had landed from a French frigate at Charleston on the 9th of April, had commissioned privateers and enlisted men there to prey upon English commerce before even presenting himself for recognition at Philadelphia, and had travelled from stage to stage of his pleasant journey northward to meet nothing but enthusiastic welcome everywhere. He had confidently expected to command America as his ally against the world. The governor of South Carolina had approved of his extraordinary acts at Charleston. Genet had commanded that English prizes should be brought into the nearest ports of the United States, and that French consuls should condemn them in prize court; and yet he had heard nothing but applause until he reached the presence of Washington. Jefferson loved France and welcomed Genet as a friend. The United States had linked themselves with France in close treaty of alliance in the old day of their own struggle for freedom, and Mr. Jefferson was willing to believe that the promises of assistance then given applied now to the new France and her new wars against Europe almost as M. Genet himself extravagantly interpreted them. The President found himself obliged to hold his own Secretary very sternly to his duty as the minister of a neutral state. England's complaints were heeded; captured English prizes brought to the ports of the United States were released; the exequatur of the French consul at Boston, who had done as Genet bade him, was revoked; Americans who had enlisted on the privateers fitted out at Charleston were put on trial; and Genet's recall was requested. His reception at the hands of the people had gone to his weak head. He thought, because he was feasted and feted in Philadelphia itself, the seat of the federal government, that he could appeal to the country against its own government, and insolently threatened to do so, to learn too late that Washington was master. As soon as possible he was superseded.

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The demonstrations with which he had been received were none the less genuine. A wave of deep feeling was sweeping over the country. The "civic" feasts and republican banquets, the elaborate celebrations of liberty and the Rights of Man, with which almost every town and hamlet excited itself, would have been impossible had not a sober and unaffected enthusiasm underlain all their extravagant charlatanry and affectation. Some enthusiasts cooled towards France when her King went to the guillotine as a sacrifice; more drew away when news of the bloody Terror came; but the tide of feeling did not permanently subside. Something of a deep, unfathomable faith remained. The firmness of the government and the discredit of Genet did not prevent the formation everywhere of democratic societies which established themselves upon the model of the Jacobin Club in Paris. Their sympathy with France was but a sign and incident of the thorough-going and undoubting democratic creed of the people themselves. They were the nuclei of the party which meant as soon as possible to take possession of the government and mould it to its principles—the party which Mr. Jefferson withdrew from the cabinet to lead when the year was out (December 31, 1793). He knew how to estimate the real volume of opinion now running against the policy of the administration; he shared the principles and predilections of the men who represented it upon its more sober and thoughtful side; and he had realized now for a long time that in the cabinet his views could not prevail. He withdrew to form the gathering party for its ultimate triumph when Washington should be off the stage.

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Washington felt very keenly the sharp power of the hot criticism to which his course towards France had subjected him. It was a heady current to stem. Unmeasured abuse beat upon him. He seemed for a little the leader of a party, and of a minority party at that, instead of the leader of the nation. He was made to seem for a time nothing but a Federalist, the head of a party which meant to make the federal government the people's master and then use its mastery to serve England, whom they hated, and to humiliate France, whom they loved. And while the storm beat most fiercely he was obliged to seem to confirm hostile opinion with regard to the attitude of his party towards England.

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Trouble with England had not been avoided by neutrality. She kept her garrisons in the northwestern posts because the debts due to British subjects before the war for independence had not been paid; and the presence of the unfriendly garrisons there seemed to keep the Indians of the border constantly inflamed for war. She seized and impressed American seamen on the high seas, under the pretence of mistaking them for her own runaway men. She seized American ships bound for French ports with corn, and condemned them in her admiralty courts as if they were lawful prizes; and she cut away the right of the States to trade with West Indian ports, whether her own or those of France, by every vexatious restriction and arbitrary interference. She would maintain no resident minister at the seat of the federal government, as if expecting America to break her neutrality and openly espouse the cause of France. And yet the President held Congress back from every measure of retaliation or hostility; commissioned Mr. Jay, the Chief Justice, to visit England and seek a satisfactory treaty of accommodation; and kept affairs at a balance until he should return.

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And then, while the country waited, the President found himself obliged to use the power of the federal government to carry out by force an unpopular law. In 1791 Congress had passed, along with the rest of Mr. Hamilton's measures for strengthening the government, an internal revenue bill which laid taxes on distilled spirits. The people of the far counties of Pennsylvania, beyond the Alleghanies, where the roads were bad and the markets far away, could make no profit on their corn unless they converted it into whiskey; were mulcted of part of that profit by the law; and felt the thing an intolerable burden. They therefore first ignored and then resisted it. Washington watched what they did until it reached the pitch of organized rebellion; then (1794) summoned the militia of the States and moved against the rebels in force, himself accompanying the troops till he learned that there would be no final resistance; and the first concerted effort to discredit the authority of the government he had been trusted to administer was crushed. "The servile copyist of Mr. Pitt thought he must have his alarms, his insurrections and plots against the constitution," sneered Jefferson, against Hamilton, the author of the law. "It aroused the favorite purposes of strengthening the government and increasing the public debt; and therefore an insurrection was announced and proclaimed and armed against and marched against, and could never be found." "The powers of the Executive of this country are more definite and better understood, perhaps, than those of any other country," Washington had declared, "and my aim has been, and will continue to he, neither to stretch nor to relax from them in any instance whatever." But the judgment of the Democrats was the judgment of Jefferson. This stroke against the people of the western counties was, in their view, an illustration of Mr. Hamilton's all too subtile way of strengthening the federal government.

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Meanwhile the country waited for Mr. Jay. He had sailed from New York on his mission on the 12th of May, 1794; on the 28th of May, 1795, he returned, bringing a treaty. On the 24th of June, 1795, it was confirmed by the Senate in secret executive session; and in July its contents were made known to the country. The storm of dissent that greeted it shook the country like the bitter excitements of the ominous Stamp Act time. It was a storm, not so much of criticism, as of blind and passionate anger.

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The treaty was, in fact, a statesmanlike piece of work. Mr. Jay had the sobriety, the steadiness and largeness of view, and the high spirit of a statesman. He had gone to England feeling that the affair he was to engage in was not to be "a trial of diplomatic fencing, but a solemn question of peace or war between two countries, in whose veins flowed the blood of a common ancestry, and on whose continued good understanding might perhaps depend the future freedom and happiness of the human race." Lord Grenville, with whom he had to deal, had met him in a like spirit of accommodation, and both believed when their work was done that no just exception could be taken to the terms of the treaty "except on the part of those who believed the interests of Great Britain and the United States to be in contradiction with each other, or who wished to make them so." It was not only a treaty of accommodation, it was also a treaty of commerce,—the first it had proved practicable to get from England since the war of alienation and independence which had broken the old ties forever. It provided that the British garrisons should be withdrawn from the northwestern posts by the 12th of June, 1796; that a commission, to sit in Philadelphia, should determine and provide for the payment of debts due British subjects at the outbreak of the war for independence, and that a similar commission, to sit in London, should adjudicate and adjust the matter of the compensation of American merchants and ship owners for illegal captures or condemnations made during the war between France and Great Britain; and that all pending boundary disputes should go for settlement to a board of joint commissioners. It defined contraband of war, regulated privateering, and declared, to the betterment and elevation of invariable international practice hitherto, that war between the two countries should never be made a pretext for the confiscation of debts or the invalidation of contracts between individuals. The door of trade between the two countries it opened wide. Trade between America and the British East Indies also it made free. Only the clause governing trade with the British West Indies was unsatisfactory. It provided that no American vessel of more than seventy tons burden should be admitted to that trade, and that no sugar, molasses, coffee, cocoa, or cotton should ever be exported thence in American bottoms to European ports. That clause the Senate rejected. It was October, 1795, before better terms could be obtained and the treaty finally completed.

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Mr. Jay had not been able to induce Lord Grenville to forego the impressment of seamen, or to pay for the hundreds of slaves taken away with the British armies at the close of the war. Neither had he been able to change in the least the arbitrary policy of the English ministers with regard to neutral trade with France. He had reminded himself at every step that his object was peace, had felt sure that he was gaining enough to secure that, and had satisfied himself that to press for more would be to fail. The country was angry because he had not failed. It wanted war with England, fiercely resented accommodation, and deemed it poltroonery and false patriotism for any one to wish it. To accept peace, above all to seek peace, was to truckle to England and betray France and America alike. Fishermen and ship owners, the vulgar and the well informed alike, at Boston, had been in a very frenzy for war, feeling to the quick their unjust losses at the hands of the British. "You cannot imagine," wrote John Adams, "what horror some persons are in, lest peace should continue." And when they knew that peace was assured by the treaty there were no bounds to their chagrin and passionate resentment, or to the violent expression of their passion. "Damn John Jay! Damn every one that won't damn John Jay! Damn every one that won't put lights in his windows and sit up all night damning John Jay!!!" was the vulgar explosion of wrath to be read upon a gentleman's fence in a public street of the staid old town; and every town, particularly every seaport town, rang with the same license of vituperation. The temper of the whole country seemed of a piece with the temper of New England.

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It was, in mere sober fact, a bitter thing for high-spirited men to endure that Mr. Jay had been obliged to forego so much that was just and content himself with so little of what lay at the very heart of the matter. The treaty undoubtedly left England still free to impress American seamen; to close the ports of France, if she could, against ships laden with provisions, though they were neutral craft and carried no article of war; to shut America forcibly off from trade with the French West Indies, which France herself had declared free while the war should last; and to confiscate all French goods found on American vessels. "The treaty from one end to the other," exclaimed Mr. Madison, "must be regarded as a demonstration that the party to which the envoy belongs is a British party, systematically aiming at an exclusive connection with the British government, and ready to sacrifice to that object as well the dearest interests of our commerce as the most sacred dictates of national honor"; and many another sober man, whose sentiment was not for France or the Rights of Man, but for the new government and the hard-bought independence of America, echoed the painful conviction. It was no light thing to play so humble a part. Washington himself hesitated and earnestly sought counsel in the matter. The alternative was war or the acceptance of the treaty. The treaty, for all England yielded so little by it, gained something for peace and amity and trade. In case of war the enemies of the young government, both at home and abroad, would have their day of opportunity. There was no money, no army, no navy. The purses of Europe would now be shut against the young republic. Her trade was with England, and that would be ruined. There seemed no wise choice but that which would certainty bring peace; and Washington chose steadily and firmly, as if there had been no clamor.

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Slowly the storm blew off. The commission set up under the treaty in London awarded American ship-owners and merchants more than ten million dollars in damages for their losses; trade quickened at every port because of the renewed privileges of commerce with England. The country had obviously gained more than it had conceded, and tardily saw the debt it owed to Mr. Jay and to the administration, whose firmness and prudence had made his mission possible. But in the mean time things had been said which could not be forgotten. Washington had been assailed with unbridled license, as an enemy and a traitor to the country; had even been charged with embezzling public moneys during the Revolution; was madly threatened with impeachment, and even with assassination; and had cried amidst the bitterness of it all that "he would rather be in his grave than in the presidency."

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The country knew its real mind about him once again when the end of his term came and it was about to lose him. He refused to stand for another election. His farewell address, with its unmistakable tone of majesty and its solemn force of affection and admonition, seemed an epitome of the man's character and achievements, and every man's heart smote him to think that Washington was actually gone from the nation's counsels.

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The country, moreover, had swung once again to the Federalists before Washington withdrew,—the one man whose personal force and command upon the country had given the party its field and opportunity. Federalist majorities were returned to both houses of Congress in the autumn of 1796, notwithstanding the French frenzy and the treaty; and Mr. Adams was chosen President. There was no longer any unanimous choice. Mr. Adams received seventy-one of the electoral votes; Mr. Jefferson received sixty-eight and became Vice President. It was a narrow margin of preference.

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When Washington gave place to his successor a certain distinction seemed to pass from the office of President, which only he, whom all the world knew, could give it. Mr. Adams had a national standing second to no man's save Washington himself; but he had not stood, as Washington had, in the gaze of the both at home and abroad as a statesman of the highest principle and the most excellent gifts; but he was still the John Adams of the Revolution, stung by jealousies which he tried in vain to conquer, too sensitive, too hasty, too acid in judgment, erratic, intolerant, irascible, sometimes irresolute,—a man to trust in the long run and to stand loyal to with steady purpose, but not a man to love or to deem above parties.

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His four years of office saw the questions which had darkened and perplexed Washington's second term mature and bear their unpalatable fruit. War with England had been avoided, but not war with France. France had hoped for and expected the success of the Jeffersonian Democrats in the elections; the French minister to the United States had even so far forgotten himself as to make a plea in the public prints for the principles and the party of Jefferson, the friend of France, and had uttered thinly veiled threats that the success of the Federalists in the presidential election would lead France to regard America as virtually an English dependency, to be treated as if as much an enemy as England herself. The cockade of the French republic became for the nonce the emblem of the partisans of Mr. Jefferson. The struggle for the presidency looked for a little like a game between French and English for political advantage. With such things in the air the success of the Federalists was the more assured. The country's irritation over Mr. Jay's treaty, it is true, had not cooled, and the Federalists seemed too much in the English interest to please men whose patriotism was quick to be jealous and take alarm; but the impudence of M. Adet, the French minister, and the unblushing aggressions of the French and their partisans were for the moment worse yet, and the Federalists kept their posts of authority.

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When once the result of the election was known France put away all pretence of friendship. Already she had declared herself released from the treaties of commerce and alliance by which she had bound herself to the United States in 1778,—released by the mere fact that Mr. Jay had negotiated and the United States had accepted a treaty with England. Ever since 1793 she had been seizing American ships and cargoes on the high seas as she pleased, as freely and with as little regard for right as England herself. Her depredations upon the commerce of the country had been less serious than those of England only because her cruisers were less numerous than the English and did not move as freely upon the seas. Now she quickened her aggressive action, like a power at war. She even extended her seizures, searches, and confiscations to the very waters of the United States themselves. General Washington, during the closing months of his term as President, had recalled Mr. Monroe, then the minister of the United States at Paris, deeming him too much infatuated with French principles, too sentimental a friend of the government to which he was accredited, to act with proper vigor. The Directory of the heady republic refused to receive any other minister in his place until its grievances against the United States had been redressed. Its grievances were summed up in America's friendship for England, and Mr. Jay's treaty as an earnest of that friendship. Mr. Adams hurried three ambassadors over sea to secure accommodation and avoid war: Mr. John Marshall, Mr. Elbridge Gerry, and Mr. Charles Cotesworth Pinckney (June, 1797). M. Talleyrand, the foreign minister of the Directory, would not treat with them in person. His agents (MM. "X," "Y," and "Z," the ambassadors designated them in their despatches) prescribed terms alike dishonorable and humiliating; even demanded money, "a great deal of money," "for the pockets of the Directory," as the price of accommodation; and war became inevitable. "I will never send another minister to France," declared Mr. Adams, in a message to Congress, "without assurances that he will be received, respected, and honored as the representative of a great, free, powerful, and independent nation."

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The war was brief and of no significant consequence in itself. No formal declaration of hostilities was made. There was only a season of sharp retaliation. A separate navy Department was created (April 30, 1798); existing treaties with France were declared abrogated (April 7, 1798); American vessels of war were expressly authorized to attack French cruisers (July 9, 1798); and active reprisals were begun. The little navy of the country, but just now reinforced by a few new frigates of first-rate strength, acted upon the permission to fight with spirit and success. Ameriean cruisers and privateers alike set about preying upon French commerce with the activity of genuine satisfaction. Measures were taken to raise an army, and General Washington was asked to take command of it. The publication of the extraordinary proposals of MM. X, Y, and Z to the American commissioners had effectually silenced every partisan of France, and war with the country's onetime friend and ally had become for the moment almost popular. But fortunately the exposure of the intrigue attempted by the agents of M. Talleyrand had made a most unfavorable impression in France itself; Talleyrand saw that he must undo what he had done; and intimations were given early in 1799 that France would receive a minister from the United States and discuss honorable terms of accommodation. By the time commissioners of the United States were ready to discuss terms at Paris (March 30, 1800) the Directory was no longer in charge of the affairs of France. The Consulate had been set up, and Napoleon Bonaparte was First Consul, a master of men at least, with whom it was possible to make definite agreements, as if with a real government.

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The terms of agreement, however, were by no means easy to decide upon. The American commissioners were instructed to secure indemnification for the losses France had wrongfully inflicted on American commerce; they were also instructed to secure the formal abrogation of the treaty of 1778, which had accorded to French privateers privileges in American ports which it was no longer wise or convenient to accord them, and which had pledged the United States to such a defence of the French possessions in the West Indies as they no longer felt justified in undertaking. But they could not get both indemnification and a release from the treaties. They were obliged to forego compensation for the French spoliations in order to get peace and relieve themselves of the burdensome obligations of the treaty of 1778, which, there having been no formal declaration of war, they could not insist upon having escaped from. A twelve-year convention, restoring amicable relations between the two countries, securing neutral ships against search and seizure, embodying a sensible and enlightened code of definitions with regard to the rights of belligerents and neutrals, and adjusting minor questions of dispute, was all that they could get. By February, 1801, such terms as could be had were agreed upon. It was Mr. Jay's experience repeated.

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But the war had ruined the great party whose leaders had framed the constitution and set the government afoot. At first it had seemed its legitimate triumph, and something like the hearty support of the country had been extorted. The Federalist majority in the House of Representatives, doubtful of its power at the outset of Mr. Adams's administration, had by the elections of the autumn of 1798 been made strong and confident. The country evidently had not been displeased to see "France and all the world" convinced, as the President had declared he meant to convince them, that the people of the United States were not "a degraded people, humiliated under a colonial spirit of fear and sense of inferiority"; and opinion seemed about to regain tone and self-possession.

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But moderate counsels forsook the ruling party in the midst of its apparent triumph. Throughout four whole years the country had been kept under the excitement and anxiety of the trouble with France, not knowing whether it was at war or at peace—from the recall of Mr. Monroe in December, 1796, until the conclusion of the convention with France in September, 1800. Throughout all that time a storm of bitter defamatory criticism had beat upon the Federalists, which unsettled their temper and broke their self-restraint at the very height and crisis of their success. They had been intrusted with the conduct of the government again and again by the free suffrages of the country, and yet they were assailed with every slander and defamed from half the presses of the towns by the republican partisans of France, who were also suffered and encouraged to be spokesmen against them in every domestic policy. It intensified their resentment and seemed to them a most sinister sign of peril to the country and its government that a great many of the men who were their bitterest enemies, and who used the public prints most scandalously and unscrupulously against them, were foreigners,—Frenchmen and Englishmen who were not even citizens, but mere adventurers, the iresponsible agents of a reckless and almost revolutionary agitation, which might jeopardize the very existence of the young government, but ten years established, over which they had been bidden to preside. They therefore, during June and July, 1798, pressed through Congress four drastic statutes, aimed against aliens and against all, whether aliens or citizens, who should foster any kind of sedition. A Naturalization Act (June 18, 1798) increased the period of residence for those who would become citizens from five to fourteen years. An Alien Act (June 25th) and a Sedition Act (July 14th) authorized the arrest and deportation of turbulent and dangerous aliens at the discretion of the President, even in time of peace, and the arrest, trial, and punishment of any one who should either unlawfully combine with others to oppose any measure of government or "write, print, utter, or publish" anything with intent to defame the President or the houses of Congress, or to weaken their authority and bring them into contempt. An act directed against alien enemies (July 6th) authorized the President in time of war to restrain, secure, or remove from the country, as he pleased, all subjects of a hostile power.

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Washington himself approved of these extraordinary laws, so passionately did he love order, hate faction, and fear for the safety of the new Union. Patrick Henry commended them, stout and consistent advocate though he was of the pure principles of thorough democracy. But the whole country presently knew how fatally the Federalists had blundered in passing them. The Alien law deprived foreigners of every privilege "without accusation, without jury, without public trial, without confrontation of the witnesses against them, without having witnesses in their favor, without defence, without counsel," upon the mere suspicion of the President. The Sedition Act cut perilously near the root of freedom of speech and of the press. There was no telling where such exercises of power would stop. Their only limitations and safeguards lay in the temper and good sense of the President and the Attorney General. Protests came from every part of the country, and grew ominously in volume from month to month,—and petitions for repeal couched in every form and bearing thousands of signatures. It would have been well had the opposition stopped at petitions; but it did not. The legislatures of Kentucky and Virginia went further, much further. Each, in a series of resolutions, drawn in solemn form and sent through their governors to the legislatures of all the other States, as in the days of Parliament's aggression, called the attention of the entire country to definitions of constitutional right as between the people and the federal government which were in the last degree radical and significant, and which seemed to carry with them an air as it were of revolution.

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The Kentucky Resolutions (November 8, 1798) defined the constitution of the Union as a compact, whereby the States, the contracting parties, had set up a federal government of definitely specified and strictly limited powers, reserving to themselves or to the people every power not plainly granted; and declared that every State, as a party to the compact, had the right to judge for itself whether the fixed limits of the constitution were observed or transcended by the federal authorities: that it had the right to declare every unwarranted exercise of power void and unconstitutional, and to call upon the other States, its partners in the Union, to join with it in measures of redress. The Alien and Sedition laws they unhesitatingly and emphatically pronounced unconstitutional and of no legal effect. The Virginia Resolutions (December 21,1798), briefer and milder in tone, were yet equally express in their doctrine that "in case of the deliberate, palpable, and dangerous exercise" by the federal government of powers not granted "by the plain sense and intention" of the constitution, "the States who are parties thereto have the right, and are in duty bound, to interpose for arresting the progress of the evil, and for maintaining within their respective limits the authorities, rights, and liberties pertaining to them." Mr. Jefferson had drawn the original draft upon which the Kentucky Resolutions were based; Mr. Madison had drafted the Virginia Resolutions,—Mr. Madison, joint author of the Federalist papers, friend and coadjutor of Hamilton and Washington in the formation of the government of the Union,—a man whose reaction against Federalist policy and whose slow alienation from Washington and Hamilton might well mark for every thinking man the measure of the Federalist mistake with regard to the temper and inclinations of the people they were governing. Mr. Jefferson's original draft, used by Mr. Breckinridge in framing the Kentucky Resolutions, had gone the length of proposing that each State should "take measures of its own for providing that neither these acts nor any others of the general government, not plainly and intentionally authorized by the constitution, should be exercised within their respective territories"; and in November, 1799, the legislature of Kentucky acted upon the suggestion and added to its former Resolutions the even more startling declaration "that a nullification" by the States "of all unauthorized acts done under color" of the constitution was "the rightful remedy."

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The "nullification" of federal action by a single State went much beyond the meaning Mr. Madison and Mr. Jefferson had intended the Resolutions to speak. They meant only that, in case of an exercise of federal powers by Congress which was obviously, palpably excessive, the methods supplied by the constitution itself must be used to check it. "The ultimate arbiter," as Mr. Jefferson said, as he looked back to these things in his old age and reassessed his principles of action, "the ultimate arbiter is the people of the Union, assembled by their deputiesin convention, at the call of Congress, or of two thirds of the States. Let them decide…. It has been the peculiar wisdom and felicity of our constitution to have provided this peaceable appeal, where that of other nations is at once to force." Congress must not itself be suffered to determine its own powers unchecked. The Resolutions said nothing explicitly of constitutional method; but they implied much, and rang out very significantly upon the tense air of the time. Though no other legislature was willing to echo them, men noted their outspoken doctrine of federal limitations and State rights. The opposition recognized in them a formidable weapon of defence; and no one doubted that it was more than a passing sign of the times that such things should be said. There underlay all this something deeper than the mere antagonisms of party.

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Clearly the Federalists had gone too far. The indictment of their enemies seemed proved,—they were the party of power, of autocratic power, and not the party of popular privilege. While the bad impression was at its height, moreover, a serious rift was disclosed in the counsels of the party itself. Mr. Adams broke with Mr. Hamilton. He had continued General Washington's cabinet in office upon his own accession to the Presidency: and had thus put himself in the hands of men who looked to Mr. Hamilton, rather than to himself, for guidance, though Mr. Hamilton was himself no longer a member of the cabinet. The President frequently found it necessary to act without their knowledge or assent, in order to act with independence and without embarrassing interference from outside quarters. He had sent the embassy which concluded peace with France without their knowledge or approbation, greatly to their chagrin and to the deep annoyance of Hamilton, whom they deemed their party leader. Neither Hamilton nor they had wished peace with France. At last Mr. Adams found the friction intolerable. He dismissed his ministers, and substituted others whose unquestioning allegiance to himself he could command, branding the men he dismissed as "a British faction"; and so made the breach with Hamilton complete.

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There was here something more than a mere breach between men. It was a breach which cut to the very foundations of the party itself. Hitherto Mr. Hamilton had been the real master of Federalist policy; but he had ruled the party through a minority in its ranks, not by persuasion or any tact of popular force, but by sheer mastery over men, a power in counsel, a gift of constructive statesmanship unmatched among his contemporaries. Mr. Adams disliked most other strong-willed men, and Mr. Hamilton had made himself almost his open enemy; but something deeper than mere personal antagonism separated them. It was spoken out in Mr. Adams's angry charge that Hamilton and those who adhered to him as their personal chief were nothing better than "a British faction." That was the charge of the opposition. That was the feeling of the country. It was unjust; it was false; but it was not without foundation. It was but a crude, undiscriminating way of interpreting the plain fact, which Mr. Hamilton made hardly a pretence of concealing, that the men who had hitherto led the Federalist party feared democracy, distrusted it with an ineradicable distrust, believed a strong government necessary, which should be intrusted to men of the old craditions of power and of statesmanship received from over sea, deemed the English government, if stripped of its abuses, the safest model of free institutions, and thought England the only European power worth keeping close friendship with in international dealings. They had not accepted the ideals of America set up at the Revolution; had refused to acquiesce in it as a definitive triumph of democracy. They were seeking to perpetuate the ideals of an older world, a more ancient conception of government. It was their lack of sympathy that the country felt. It was their unwillingness, their inability to act wholly for America in every matter of policy, without regard to their preferences for this alliance or that, that made Adams fling them off as a British faction.

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And Adams spoke the real preferences of the rank and file of the Federalist party itself—the very party which, until that day of breach, Mr. Hamilton had led with an almost undisputed supremacy. It had doubted and been vaguely uneasy even while it obeyed. Hamilton once out of command and its opinions freed from his masterful domination, its ideals in affairs showed no radical difference from those of the opponents whom Jefferson was drilling against it. Federalist voters were not infatuated with the French, as the men of the Democratic clubs had been; they did not dread, as Mr. Jefferson did, the conversion of the government of the United States under their leaders into a centralized tyranny by the mere process of using the powers of Congress and the President with vigor and courage and a touch of constructive statesmanship; they relished the predominance of men who had the temper to rule; but for the rest they were not of Mr. Hamilton's making. They thought first of America in their hopes for the future and their plans for the present, dreaded democracy as little as they dreaded the tyranny of constitutional presidents, were heartily for such measures as should give the country independence and a free hand for its affairs, thought more of their own interests than of handsome or seemly aliances abroad, accepted democracy without squeamishness, and were robust believers in the happy destiny of their institutions. Mr. Adams was much nearer their spirit and temper than Mr. Hamilton and the group of masterful men whom he led; and his breach with Mr. Hamilton cut to the roots of the party itself. By the time another presidential election approached (1800) personal rivalries and antagonisms had robbed the party of coherence and leadership; it had lost its sense of unity; many who had voted with it felt their sympathies transferred to the other side; and the elections brought it humiliating defeat. Mr. Adams was personally popular enough, commended by his sturdy character, his manifest good faith and independence, his frankness and courage; but the section of his own party with which he had avowed himself out of sympathy was not loyal to him. Hamilton publicly argued that he was unfit for the office he held, egotistical, jealous, indiscreet, and of unsound views in matters of administration; Mr. Jefferson had at last imparted compactness and self-reliant vigor to the Democratic Republican ranks which he led; and Mr. Adams failed of re-election.

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No one was chosen President by the electors. As the electoral clause of the constitution then stood, each elector was directed to cast his vote for two persons, without designating which was his preference for President, which for Vice President; and when the votes were opened they were found to stand: seventy-three for Mr. Jefferson, seventy-three for Mr. Aaron Burr, Mr. Jefferson's accomplished lieutenant in New York; sixty-five for Mr. Adams; sixty-four for Mr. Pinckney. It was necessary in such a case that the House of Representatives should itself select a President, from the two leading candidates; and the Federalists still, though for the last time, controlled the House. For a little while they were tempted to put Mr. Burr into the Presidency, rather than endure Mr. Jefferson; but that intrigue failed. Mr. Hamilton was too manly a politician to give it countenance for a moment. He denounced it roundly and induced the members of the majority to let Mr. Jefferson take the Presidency, to which he was clearly entitled by the well-understood preferences of the electors. But they yielded sullenly. They let Mr. Jefferson come in, not with their votes, but without them, by refraining from voting at all in sufficient numbers to leave his friends in a majority, and lost credit for good temper as well as for good faith.

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Their last acts of power confirmed the impression of their critics that they neither trusted the people nor believed any but themselves capable of conducting the government or ruling the country. For more than three months after the presidential election they remained in control of Congress. They used their majority, when the result of the election became certainly known, to make themselves secure, as they hoped, of the possession of at any rate the judicial branch of the government. On the 13th of February, 1801, less than three weeks before the day upon which Mr. Jefferson was to become President, they put through Congress, by a strictly party vote, a Judiciary Act which very considerably enlarged the number of federal courts and judges and added some fifty thousand dollars to the annual judicial budget, notwithstanding the fact that the legal business of the country justified no such expansion of the federal judicial machinery; and Mr. Adams hastened to fill the new judgeships, as well as every other vacant place, great or small, with staunch Federalists. On the 31st of January he had appointed Mr. John Marshall, of Virginia, Chief Justice of the Supreme Court of the United States, an approved lawyer, but a tried Federalist, and but just turned of forty-five. The government of the country passed into Mr. Jefferson's hands as stoutly fortified against change or misuse as a solidly Federalist personnel in the courts could make it.

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The whole face of affairs, the very aspect of the government itself, seemed to change when Mr. Jefferson became President. For one thing, the seat of government was transferred from Philadelphia, the busy city and mart of trade, with its seventy thousand inhabitants, to the rural spaces of the new federal District of Columbia. The removal had been effected in the summer of 1800, during the closing months of Mr. Adams's administration, and had suitably marked the exeunt of the Federalists, the party whose rule had been planned to draw about the federal government the support of the merchants, the bankers, the property owners, the chief men of means and influence in society and affairs, the men of the centres of trade, whose interests were larger than those of any single State or neighborhood. An extensive city, to be called "Washington," had been plotted in the fields and woodlands which lay upon the northeastern bank of the Potomac, on the portion of land which Maryland had ceded for a federal district. The building of an official residence for the President had been begun in 1792, and the corner-stone of a capital building had been laid by General Washington in September, 1793. Some quarters for the executive departments had been erected; a few houses had been built here and there at long intervals upon the projected streets of the new city; and speculators had bought land there in expectation of high prices to come. But only one wing of the Capitol was completed when the government was at last actually transferred. The Congress had to be temporarily housed. The President's residence was the only dwelling of any pretensions ready for occupancy. The streets of the quiet place ran through bits of forest, like avenues in a wild and wooded park, or were lost in open fields, where there was neither fence nor dwelling. There were not houses enough in all the spreading plot of projected avenues and squares to furnish members lodging during the sessions of the Congress. Some had to make their way as best they could over several miles of soft and miry road to find quarters. The stately proportions of the White House and of the rising Capitol looked strangely enough in such a place. Life there was a sad exchange for the comforts and the social stir and brightness of Philadelphia; and government could not seem there the handsome thing of etiquette and dignity and formal show of authority that the Federalists had made it appear in a city.

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It was the more suitable place on that account for the coming in of Mr. Jefferson, and the change of scene and atmosphere which was to come with him. Here was a place for real democracy to be brought in, without show or circumstance. Mr. Adams set out upon his long ride homeward early on the morning of the 4th of March, having no stomach to wait and see Mr. Jefferson take the Presidency. The new President, accompanied by a few friends, and escorted by a company of Virginian artillery, as guard of honor, walked quietly from his boarding house to the Capitol; there took the oath of office and read his address to the people; and a new regime was inaugurated. John Marshall, the new Chief Justice, twelve years his junior, administered the oath; and the two men, as they stood thus face to face, Virginians both, bred to the same principles of life and courtesy, but opposite in every principle of politics, must have seemed to give each his silent challenge to the future in the act.

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A noteworthy and momentous thing stood revealed in the simple ceremony. The democratic forces which had set the Revolution ablaze, and which had operated through seven years of war and reconstruction to work a radical change in the temper and practice of the whole country in public affairs, now once again reasserted themselves and took possession of the seats of government. They had been temporarily discredited during the troubled years when the Confederation was the makeshift government of the country,—discredited by the jealousies, the riotous disorders, the gross turbulence and distempers of the time. The new Union had been formed and the new constitution framed to check and govern them. The Federalists' twelve years' labor of organization had been undertaken and carried forward while the reaction lasted: to make strong the forces of conservatism, school the people in order and self-restraint, and make solid once more the foundations of authority. Democrats had spent their lungs, the while, in the cries of the French Revolution and in passionate outbursts against England and against all who parleyed with her. They had seen no vision of national duty, no workable creed until the Alien and Sedition laws were passed, and the Sedition law enforced against editor and pamphleteer. Then they had had sight at last of the constitutional principles and the domestic policy for which they must fight. Mr. Jefferson and Mr. Madison had cleared their thought with the strong sentences of the Kentucky and Virginia Resolutions,—no programme, but a warning cry which no man failed to hear or to understand; and the election of 1800 disclosed, behind Mr. Jefferson, no longer a body of agitators merely, but a national party, ready to play the sober role of administering a government.

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Nothing could exceed the fine tact and gentleness with which Mr. Jefferson gave tone of order and patriotic purpose in his inaugural address to the new way of government his followers expected of him. "We are all Republicans, we are all Federalists," he exclaimed; "we are not antagonists, but live by an absolute acquiescence in the decisions of the majority, the vital principle of republics." "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." "Let us unite with one mind," he urged, in tones so quiet, so sweet and sincere of accent as to calm every mind they touched; "let us restore to social intercourse that harmony and affection without which liberty and even life itself are but dreary things. And let us reflect that, having banished from our land that religious intolerance under which mankind so long bled and suffered, we have yet gained little if we countenance a political intolerance as despotic, as wicked, and capable of as bitter and bloody persecutions."

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And what he did soon gave excellent proof of his sincerity. Mr. Jefferson was an interesting mixture of democrat, philosopher, and patrician. In taste and occupation and habit he touched and was familiar with the life of the cultured and moneyed classes, the aristocracy of the young nation which constituted the Federalist strength. In creed and principle he was the comrade and work-fellow of the people. By gift of insight and genius for organization he was a leader of parties and of concerted action in affairs. An infinite sensibility taught him moderation, lent him tact, pointed out to him the practicable courses of persuasion and the certain prospects of popular support. His personal charm, his high breeding without arrogance or pretence, gave him hold upon every one with whom he came in contact. No other man could have so moderated, or so completed, a revolution in the spirit and conduct of the government.

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For a revolution it was, profound and lasting. Undoubtedly the chief merchants, the chief men of means and of responsible trust, the chief men of parts and learning and social influence in the country were Federalists. They looked upon Mr. Jefferson as "an atheist in religion and a fanatic in politics"; and they dreaded the direct thrusts of democracy at the careful system they had reared, as likely to be little less than the throwing down of the very props of society itself. Mr. Hamilton more than any other man in their ranks, spoke their purposes and fears. It had been his wish and effort at every turn of policy in which he had any part to make the federal government virtually master of the affairs of the nation, fortified with an overwhelming strength against every force, whether of the States or of individuals, that might antagonize it. He believed, as his enemies supposed, in the maintenance of a strong army, even in time of peace. He wished to see the States absolutely subordinated to the general government. He thought the opinions of the masses an unimportant and negligible thing in the choice of policy. "No man," he said, "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." Assuredly he had labored for it. He had played no small part in establishing it also. But he had wished to have it serve as a buttress against democracy, a safeguard against the fickle play of opinion and the caprice of men unschooled in affairs.

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Mr. Jefferson's was an opposite school of thought "I am persuaded," he said, "that the good sense of the people will always be found the best army. They may be led astray for the moment, but will soon correct themselves." His belief was wholly sincere, aristocrat though he was in life and breeding and in instinctive aptitude for power; and it was wholesome for the country that the forces he so moderately and graciously represented should thus early gain their inevitable ascendency. It was impossible that the ruling classes of the older days should continue to govern the young nation now springing into life. Mere growth and change of life had broken every bond of habit and restraint of form. The nation of 1800 was not even the nation of 1790. Its population had grown in that decade from 3,929,214 to 5,308,483, and had spread itself northward and westward and northwestward, to Lake Ontario and round about to the St. Lawrence and Lake Champlain; to Lake Erie and into the Ohio country; and into Kentucky and Tennessee, until great communities mustered there more than three hundred thousand strong. Vermont and Kentucky and Tennessee had been added as States to the Union, and had brought the spirit of the frontier with them into its counsels. It was not the cities that grew, though they had their growth with the rest, so much as the spreading country-sides. The great spaces of virgin land at the west were filling in, and there stirred everywhere the air of enterprise and change.

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No group of men could restrain, or measure, or even guide the quick, expanding life of that young people, before whom all ways of conduct and endeavor were open to be tried and made test of, in whose hands all things were making and to be made. Their industry kept pace with their numbers. The Parliament in England forbade any one to take out of England any industrial machinery whatever, or even the plans of machinery invented or perfected there; but it was impossible to keep as a secret and monopoly what master mechanics who chose to go to America could take away in their heads and in their trained and skilful fingers; and slowly the carefully guarded secrets of manufacture passed over sea. By 1790 Samuel Slater had setup a cotton-spinning factory, with complete machinery after the English models, at Pawtucket, in Rhode Island. In 1793 Eli Whitney, a Connecticut school master living in Georgia, invented a practicable gin for clearing cotton of its tenacious seed, and the South had no sooner realized what this new instrument meant than it suddenly sprang into competition with India and Egypt in supplying the world with cotton. In 1791 less than two hundred thousand pounds of cotton had been shipped out of the country; in 1800 nearly twenty million pounds went over sea. Everything that America produced found market, despite all obstacles. The trouble with England while Washington was President, the trouble with France while Mr. Adams ruled, had checked and jeoparded trade; but trade had strengthened and increased with an irrepressible growth, nevertheless. Nearly twice as much flour and wheat left the ports in 1800 as had been sent out in 1791. American ships were to be found in every sea, and carried cargoes of every sort.

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No class or region or single school of politicians or thinkers could keep the mastery or determine the course of such a people, growing after such a fashion, on such a continent. Democracy, free force, an equal footing for all men in opinion, effort, and attainment were the very conditions of its being: there could be no leading strings. Mr. Jefferson spoke the spirit of the day, its only acceptable principle in affairs. The government had passed into the hands of the people's party.

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Its programme, as Mr. Jefferson spoke it, accorded with its origin: The restriction of federal powers within strait constitutional limits, an unembarrassed field for the powers of local self-government within the several States, the payment of the public debt, the reduction of the armed forces of the country, and consequently of the taxes, to the lowest practicable point, and as nearly as might be free trade at the ports: a government simple, inexpensive, unmeddlesome. Some of the latest and most partisan acts of the Federalists the new Congress, with its working majority of Republicans, proceeded to undo. The Judiciary Act, by which the Federalists had called new federal courts into existence to fill them with judges of their own party principles, was repealed, and the new courts were abolished almost before they had been organized. The other officials whom Mr. Adams had put into office during the closing days of his term were dismissed, and Republicans were put in their places. A few Federalist officeholders who had been offensively loud, partisan, and industrious in working against Mr. Jefferson's election, and who had used their official power to influence the vote at the polls, were also removed and replaced by men of the President's party. Sixteen federal officials were dismissed without cause assigned, in order, no doubt, to put the public service more in accord with the views of the new head of the government. All who were imprisoned under the odious Sedition law were at once pardoned and released. The law itself had expired by limitation; and Mr. Adams had not used the authority conferred upon him by the law against aliens. The Federalist Naturalization law of June, 1798, which required a residence of fourteen years as a condition precedent to the acquisition of citizenship by a foreigner, was repealed, and the old period of five years restored.

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But there the reaction stopped. The new Congress reduced the federal taxes, and the customs duties at the ports; cut down the army and navy establishments; retrenched expenses and lessened burdens, as had been promised and expected; but the despondent forebodings of those Federalists who had looked to see a fatal retrogression in the character of the government were not fulfilled. The people's men were not, after all, "Jacobins and miscreants," and Mr. Cabot was apparently not yet justified in considering "democracy to be the government of the worst." Mr. Jefferson called Mr. Madison to the Secretaryship of State, a man whom all the country knew to be a patriot and a statesman. He made Albert Gallatin, of Pennsylvania, Secretary of the Treasury, and financiers soon learned to trust the clear-headed Swiss for judgment and capacity almost as much as they had trusted Mr. Hamilton himself. There was, at any rate, no revolution in the business methods of the government.

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Mr. Jefferson was too wise a politician to alienate the very men whose suffrages had brought him into office. He knew that many thoughtful men who had before always voted with the Federalists had in the last election voted for the Democratic Republican electors,—not because ready to see the government experimented with, but because they hated the taxes with which the Federalist Congresses loaded them, disliked the new tone and temper of the Federalist leaders, and believed that, for all they were so radical in their talk, the leaders of the opposition would simplify the government without weakening it or doing it damage. He knew that he was on trial to prove his conservatism as well as to prove his capacity for reform. He meant to prove himself no enemy of an efficient federal government, but only an enemy of extremes.

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It turned out that he had judged the temper of the country and the posture of affairs to a nicety, and had brought in a new regime which was to give its opponents abundant time to assess its qualities. Mr. Jefferson remained eight years in office; and handed on the presidency to men of his own school of political principle who kept it for sixteen years more. He was elected for a second term (November, 1804) by an overwhelming majority. Mr. Charles Cotesworth Pinckney and Mr. Rufus King, the candidates of the Federalists, received only the votes of Connecticut and Delaware, added to two of the eleven votes of Maryland. The country had turned with a sort of mild enthusiasm to the new party, which seemed with every year to grow more national and more typical of the natural disposition and principles of America. The more ardent Federalists grew very black and bitter under the sharp discipline of such a change, and talked intemperately and with a touch of reckless disloyalty of breaking up the Union rather than submit to the new regime. Hamilton, more wise and more patriotic, rebuked them passionately. "You are going to Boston," he wrote to Colonel Trumbull. "You will see the principal men there. Tell them from me, as my request, for God's sake, to cease these conversations and threatenings about a separation of the Union." But Mr. Hamilton's influence was presently withdrawn. Mr. Burr, the Vice President, stung by Hamilton's attacks in a bitter political quarrel, in which words ran hot and unguarded on both sides, challenged him to a duel, which ended in a fatal tragedy (July, 1804). Mr. Hamilton was killed, and the one commanding figure among the Federalists was removed. They lost influence with every election, and the hands of the Republicans were free, in the presidency and in Congress.

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The new unanimity in affairs sprang, not out of the repeals, retrenchments, and reforms of the party newly come to power, so much as out of its popular action in national affairs. For all their professions of an opposite set of principles in government, its leaders acted as its more conservative supporters had expected,—very much as Washington or Adams or Hamilton would have acted, when there was occasion to vindicate either the authority or the interests of the Union. Mr. Jefferson was hardly installed in office before news reached America that Spain had receded the great province of Louisiana to France. It was one thing to have all the western bank of the Mississippi, its outlet at the Gulf, and all the continent between the Mississippi and the Pacific controlled by Spain, who had lost her power in the world; but it was quite another to let it pass into the hands of France, and Bonaparte her leader. "The cession of Louisiana and the Floridas by Spain to France," wrote Mr. Jefferson, the lover of peace and friend of France, to Mr. Livingston, the American minister at Paris, "completely reverses all the political relations of the United States, and will form a new epoch in our political course. There is on the globe one single spot the possessor of which is our natural and habitual enemy. It is New Orleans, through which the produce of three eighths of our territory must pass to market. France, placing herself in that door, assumes to us the attitude of defiance. Spain might have retained it quietly for years. . . The day that France takes possession of New Orleans 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." An intense excitement spread through all the western country, which grew to a still quicker fever when it was learned that the Spanish governor at New Orleans had practically closed the port against the western trade, by way of preparation for the transfer to France.

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Mr. Monroe was sent to join Mr. Livingston at the French court. He was authorized to purchase Florida and a strip of the coast which should include New Orleans. He found Bonaparte willing to sell the whole of Louisiana or nothing. The American commissioners, therefore, exceeded their authority and agreed to buy the whole of the vast territory for fifteen million dollars. Bonaparte congratulated himself that he had replenished his purse for a war with England and had turned over to the United States lands and resources which should make them able themselves some day to humble England, even on the high seas and in trade.

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Mr. Jefferson admitted that he could find nowhere in the constitution authority to buy foreign territory, and professed himself very anxious about the awkward situation that had arisen. He believed that such a purchase would be beyond the precedent even of Mr. Hamilton's "implied powers," and wished a constitutional amendment passed to make good what his representatives had done and he could not decline to accept. "I had rather ask an enlargement of power from the nation, when it is found necessary," he said, "than to assume it by a construction which would make our powers boundless. Our peculiar security is in the possession of a written constitution. Let us not make it a blank paper by construction." But in the same breath with which he urged his scruple he declared his readiness to abandon it. "If our friends think differently," he said, "certainly I shall acquiesce with satisfaction, confiding that the good sense of out country will correct the evil of construction when it shall produce in effects"; and the houses agreed to the treaty and voted the money for the purchase without so much as proposing an amendment (1803). The President acquiesced with startling facility in the apparent "necessity of shutting up the constitution" in such exigent cases of imperative policy. No one but the more extreme and partisan Federalists would patiently hear of any scruples in the matter. Nowhere except in New England was there sharp and acrid dissent.

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Mr. Jefferson had given the country its first taste of his real quality in action. He was a Democrat, a people's man, upon conviction, genuinely and with a certain touch of passion; but he was no lawyer. He stickled for a strict construction of the constitution only when he thought that a strict construction would safeguard the rights of common men and keep the old Federalist theories of government at arm's-length: not because he disliked to see the country have power as a nation, but because he dreaded to see it put in bondage to an autocratic government. He wanted as little governing from the federal capital as might be; but as much progress as might be, too, and as much access of power and of opportunity to the people as a body of free men, unshackled by any too meddling government. It was his weakness to think it safe for the friends of the people to make "a blank paper" of the constitution, but the very gate of revolution for those who were not Democrats. If only Democrats led, "the good sense of the country would correct the evil of construction when it should produce ill effects"!

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In the older and more stubborn Federalists it naturally bred a sort of madness to see Mr. Jefferson turn loose constructionist to do the very things which they most dreaded in their political calculations. In New England it seemed to many who were high in the Federalist counsels a thing not to be borne that a great field of expansion should be opened at the very doors of the South and West, to the undoing of the East, which had no free space in which to grow, and must lose her weight in affairs when the West came to its power. It was this that made them talk of disunion and of an independent Confederation to be set up at the North, despite the protests of Mr. Hamilton, who believed the purchase to be constitutional and knew it to be wise. But they were in a hopeless minority. Even Mr. Jefferson's attacks upon the judiciary, that last stronghold into which they had been driven, failed to bring on the storm they wished for. The process of impeachment was actively set afoot, that same year 1803, to effect the removal of such federal judges as made themselves most obnoxious to attack. The Democratic leaders of the House announced it as their theory of impeachment under the constitution that it was not a criminal prosecution but only a process of removal. Its ground, they said, need not be any crime or legal misdemeanor. Such acts sufficed to support it as made the judge called in question an instrument of opposition to the course of the government. A decision declaring an act of Congress unconstitutional would support it. It must be considered a means of keeping the courts in reasonable harmony with the will of the nation. Here was enough and to spare to feed the fears and the rising anger of the Federalist leaders.

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But Congress itself declined the theory. Judge Pickering was removed from office because of gross irregularities of conduct; but Judge Chase was acquitted, despite his violent partisanship outspoken from the bench. The Senate would not oust merely for opinions held, and the courts were safe. The Federalist leaders found, moreover, that their own partisans, upon whom they had thought that they could reckon, gave them no countenance. It was impossible to arouse or alarm them. Mr. Jefferson had proved no monster, after all, but an amiable and attractive gentleman, graceful in conciliation, and apparently honest in his desire to serve the whole country, spite of what was said against him.

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He had surrounded himself, besides, with capable men, whose ability and integrity the whole country recognized. His Secretary of the Treasury was able, so sound did his management of the finances prove, to arrange for the payment of the fifteen millions due for the purchase of Louisiana without asking Congress to lay an additional tax. "I greatly fear that a separation would be no remedy," wrote George Cabot to those who would have led in the Northern secession. The source of our evils "is in the political theories of our country and ourselves. We are democratic altogether," and can expect nothing salutary "while we retain maxims and principles which all experience and reason pronounce to be absurd." "It is impossible to alarm, much less to convince, a large portion of the Federalist party here of their danger," explained Mr. Higginson to the radicals in Congress. "A small part only of those called Federal are sound in their opinions and willing to look into their real situation. Many even of our own party have as much yet to unlearn as to learn. They have yet much of the democratic taint about them." Even extremists saw that they would have no following in revolutionary courses, and would have to wait for some grosser provocation, "which should," as Mr. Cabot said, "be very generally felt and distinctly understood as chargeable to the conduct of our Southern masters, such, for example, as a war with Great Britain manifestly provoked by our rulers." Almost the whole country out side their narrow coterie rejoiced in the acquisition of the lands beyond the Mississippi. To the southerner and the westerner it seemed a mere consummation of destiny, inevitable and not to be debated. The President turned, with such ease of conscience as he could command, to other things.

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"Other things," it turned out, were to involve still more Federalist-like policy as affairs shifted: were to involve, in the end, a new set of troubles with England and France which were as serious as those which had made such mischief in Mr. Adams's time, and which as inevitably led straight towards war and taxes and federal activity in foreign affairs, the pet aversionsù of the President and of every man who held the strict Jeffersonian creed in politics. Had Europe been at peace, America might have had her day of adolescence unchecked and clear of embarrassment. But France had set all Europe afire, and America, it turned out, was to be drawn into the storm,—was not to be suffered to be the only neutral, lest her advantage should be Europe's ruin.

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All the world being at war, hers was the only flag under which cargoes could make their way into European ports. It was the recognized law of nations that every ship that carried the flag of a belligerent was subject to be taken and made prize of by an enemy's cruisers. England's merchantmen could go abroad upon the seas with impunity enough, because England's navy dominated the ocean waterways; but half of the ports of the continent were closed against them. French and Dutch ships did not venture out of port. Spain gave up her attempt to bring Mexican dollars and the ingots of the Peruvian mines out of the south under convoy in her own bottoms. That and all the rest of the carrying trade of the world fell to American skippers, who were free, as neutrals, to go where they pleased. They fetched cargoes of every kind from every quarter of the globe; put in with them at American ports, in order that they might there be reshipped; and took them thence to their destinations as neutral goods in neutral bottoms. The products of both Indies poured in at the ports of Holland, Spain, and France, without let or hindrance, if only Yankee skippers brought them; and made their way by river and canal to the markets of every kingdom and principality whose resources Bonaparte was using to subdue the world. Those who fought him seemed defeated by neutral trade, by means of what seemed to them, at that tremendous crisis, merely war disguised,—a veritable fraud of neutral flags by which the laws of war were annulled. Bonaparte could never be beaten unless this uninterrupted stream running into his coffers were somehow cut off.

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England's only mastery was on the sea. If she could not cut off the conquering Corsican's resources there she could not hope to check him at all. For a little while she observed nominal peace with him (1802- 1805), but that was soon broken. Nelson had utterly destroyed the French fleet at the Nile (August 1, 1798); and now broke the naval power of Spain and of France alike on the great day of Trafalgar (October 21, 1805). But on land, apparently, the Corsican could not be beaten. England determined that at least his coasts should be shut up and the trade of his allied and subject states destroyed; and, since she could not make an actual blockade of all Europe, she resolved to make a paper blockade, and enforce it as she might by captures at sea. By a series of Orders in Council (May, 1806 - April, 1809) she virtually declared every port of Europe and the Indies closed against neutral trade. Napoleon answered with a series of decrees (November, 1806 - August, 1810) which closed every English port also, so far as such cruisers as France had left could close them, or seizures in French ports make the orders good. Fine, condemnation, even capture and confiscation were to be the penalties imposed on all who should be caught ignoring the mandates of either imperious leader in that desperate combat of nations.

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America was not the special target of these extraordinary measures. They were simply unprecedented acts of war in a struggle which had at last transcended every rule and standard. But America's trade was likely to be cut away at the roots as effectually as if all Europe had declared war against her. Moreover, she was helpless. Mr. Jefferson had brought a party to power which had dismantled the navy which the Federalists had begun. The few ships that remained were tied up at the docks out of repair, out of commission, or lacking crews and equipment. English cruisers overhauled American merchantmen when and where they pleased, looked into their manifests and bills of lading, forbade them their voyage if they chose, and took their seamen off to serve in their own crews.

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It was indisputable English law that a British subject's allegiance was indefeasible and could not be renounced. Many a man upon American ships was in fact a deserter from the British navy, where the pay was poor enough and the discipline brutal enough to make any man wish for respite and escape. English captains were simply reclaiming runaway Englishmen, their government said. They were fighting single-handed against Napoleon with all Europe at his back; they could not suffer their navy to be drained of its men at such a time as that, when liberty the world over, it might be, was staked upon their success. Thousands of her sailors were in fact deserting; it was notorious where they went; and they must be found. Many of the men who were impressed could show American naturalization papers; but no naturalization papers could avail for their exemption from impressment if allegiance were indefeasible. The bitter and intolerable thing was, that British officers made no pretence of investigation; took what men they chose, American or English, not declining negroes even; and insulted the flag of the United States by every method they employed. Insult reached its climax when the English cruiser Leopard followed the American frigate Chesapeake out of Hampton Roads, fired upon her, and took four men from her as deserters,—the Chesapeake having but a single gun ready for use (1807).

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Mr. Jefferson saw the face of war in all this, but would not propose any means of redress. The only remedy he would suggest was a fleet of gunboats for the defence of the ports, less costly than fortifications, less dangerous also, his creed said, to principles of self-government and the maintenance of a modest central power, than a formidable navy. If American seamen were not safe against attack at sea, it was best that they should stay in port, where the country could make good their defence. He found it impossible, indeed, to do away with sea-going ships of war altogether. At the very outset of his administration he had been obliged to send a squadron against the pirates of Tripoli, who openly made war on the commerce of the United States. The six frigates then kept in commission proved unsuitable for the service, and he was forced to consent to the construction of a few vessels more suitable, which promptly brought Tripoli to terms. But he did not allow even the Tripolitan war (1802-1805) to bring a real navy into existence.

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He tried negotiation with England, through Mr. Monroe and Mr. William Pinkney, for many weary months, and through many changes of ministry over sea, but could get nothing better than Jay's treaty (then about to expire by limitation), and would accept nothing less than a renunciation of the right of search and of impressment, which England would not relinquish. When the Leopard fired on the Chesapeake he ordered all British men-of-war out of American waters and forbade them her ports; but there was no remedy in that. At last, driven to retaliation but unalterably opposed to war, he recommended an embargo, which should at least make English merchants smart by cutting off their lucrative trade with the United States. On the 22nd of December, 1807, an Embargo bill became law which absolutely prohibited all foreign commerce, whether in foreign or in American bottoms. A year before Congress had authorized the President to forbid the importation of certain classes of English goods on and after a certain date. But the date had been deferred until the eve of more radical measures. The Embargo Act closed the ports against all nations, and even against the exit of American ships. Even coasting vessels were required to give bond to land their cargoes within the United States. Such an experiment in retaliation, cried Josiah Quincy, of Massachusetts, in the House, had "never before entered into the human imagination. There is nothing like it in the narrations of history or in the tales of fiction."

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"My principle," said the President, "is that the conveniences of our citizens shall yield reasonably, and their taste greatly, to the importance of giving the present experiment so fair a trial that on future occasions our legislators may know with certainty how far they may count on it as an engine for national purposes,"—as a substitute for war in bringing foreign nations to terms of reason; and he had his way to the utmost. His personal influence prevailed in everything. Members of Congress knew very well how sorely the bill would pitch, but they never dreamed of disobeying. "All our surplus produce will rot on our hands," cried a member of the House. "God knows what all this means! I cannot understand it. I see effects, but I can trace them to no cause…. Darkness and mystery overshadow this House and the whole nation. We know nothing; we are permitted to know nothing. We sit here as mere automata; we legislate without knowing; nay, sir, without wishing to know why or wherefore." The embargo was to be tried because Mr. Jefferson believed in its efficacy.

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The closing year of his presidency was darkened and distressed by its effects. The States themselves suffered from the act more than the nations whose trade they struck at. America's own trade was ruined. Ships rotted at the wharves,—the ships which had but yesterday carried the commerce of the world. The quays were deserted. Nothing would sell any more at its old price. The southern planters suffered even more keenly than the New England merchants. Their tobacco and rice and cotton could not be sold, and yet their farm hands, who were slaves, could not be discharged and had to be maintained. The wheat and live stock of the Middle States lost half their market. It was mere bankruptcy for the whole country. No vigilance or compulsion could really enforce the act, it is true. Smuggling took the place of legitimate trade, where it could. Even within the year, too, manufactures began to show a little more as if they would grow, to supply what importation could no longer supply. But there was small palliation for the keen distress of the time in smuggling or the feeble beginnings of manufacture; and before irreparable mischief had been done the fatuous system broke down.

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It bred distress not merely, but actual disaffection as well. The distress was universal; disaffection showed itself only in New England, where the Federalists still kept their organization and their power. The sea was New England's farm, as Mr. Pickering said. To be shut out from using it for trade and adventure was as sharp a blow at her habit and her livelihood as that which had been dealt by Mr. Townshend's Acts, which had played their part, as everybody knew, in bringing on a revolution. Exasperation could not easily be kept within bounds; and no one seemed wise enough to restrain it. New Englanders deemed the embargo a more open and more partisan attack upon their interests than the purchase of Louisiana had been, and thought it significant enough that it came from Mr. Jefferson, the Virginian, leader of the South and West. As a matter of fact, the Act cut nearer the roots of life in Virginia than in Massachusetts. The merchants of New England lost the profits of trade, indeed; but British cruisers would very likely have confiscated those in any case. Their capital at least was safe; and New England, like Pennsylvania, found means to reimburse herself in the home markets suddenly opened for her simple manufactures which Virginia and the South had no opportunity to employ. It showed a singular constancy and steadfastness in principle and in party loyalty on the part of Virginia and her neighbor States at the south that they should thus face ruin to support Mr. Jefferson.

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The Federalist coterie in Massachusetts and Connecticut were at such a pitch of exasperation, allowed themselves such license of bitter and disloyal speech, seemed so stubbornly bent upon opposition to the utmost, that even men very little given to panic fear began seriously to apprehend the worst. Indeed, the worst was presently to be seen at hand. It was a long coast to keep ships from, that which stretched all the way from the rivers of Maine round about Spanish Florida to the rivers and inlets of the Gulf, and before the President and his advisers had done with the hateful Act they were driven, in order to make it effective, to measures as arbitrary and as inquisitorial as the Alien and Sedition laws and Mr. Townshend's Acts to enforce the Parliament's laws of trade. In January, 1809, in accordance with the recommendations of a report from Mr. Gallatin, Congress passed an Enforcing Act which authorized the President, through the collectors of customs, to seize any goods of American growth or manufacture that might be found in any kind of boat or in any vehicle going towards the sea, and to hold them until heavy bonds were given that they would not be taken out of the United States. At that the temper of New England broke down, as the temper of Kentucky and Virginia had broken down under the Alien and Sedition laws. A committee of the Massachusetts senate recommended a law to protect the people of the State against "unreasonable, arbitrary, and unconstitutional searches." When Mr. Dearborn, the Secretary of War, requested Governor Trumbull, of Connecticut, to select officers of the militia of that State to assist the collectors in enforcing the Act, he flatly refused, and plainly declared his determination to defy the authority of the federal government. "Conceiving, as I do, and believing it to be the opinion of the great mass of citizens in this State," he said, "that the late law of Congress for a more vigorous enforcement of the embargo is unconstitutional in many of its provisions, . . . my mind has been led to a decided and serious determination to refuse compliance with your request, and to have no agency in the appointments which the President has been pleased to refer to me."

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Already, the year before, Mr. John Quincy Adams had informed Mr. Jefferson that there was a plan afoot in New England to nullify the embargo and defeat the laws, and that secession, it might be, and union, or at least alliance, with England would follow. Here was a notable sign of the times! John Adams's son, bred in the strictest school of federalism, and himself senator from Massachusetts, had of a sudden left his party, had voted for the embargo, and now, cool and distant though he was with all men, came forward to warn and counsel Thomas Jefferson and shield the country from the consequences of Federalist folly. Mr. Jefferson knew at once how singular and significant a thing had happened; knew that Mr. Adams had acted from a love of duty, not from love of him; felt a touch of panic himself; and acted as the crisis seemed to demand.

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Amidst such an accumulation of embarrassments, at home and abroad, it was no doubt better to yield a good deal to the spirit of discontent, before actual strife came on, than to provoke it to excesses. The end of Mr. Jefferson's term was at hand, his successor chosen, his party's supremacy secure, and concession could be made without material sacrifice. On the 1st of March, 1809, accordingly, a Non-Intercourse Act, which prohibited trade with the ports of England and with all countries under the control of France, but set it free again to move as it pleased so far as the rest of the world was concerned, was substituted for the absolute embargo. The signing of the new measure was almost the last official act of Mr. Jefferson's administration. On the 4th of March, with no slight sense of relief, he handed over to Mr. Madison the responsibilities of his great office—a burden which increased, as he had found, from year to year.

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Mr. Madison had been chosen without difficulty to the Presidency (1808). The supremacy of his party was almost unquestioned; he was Mr. Jefferson's choice for the succession; the nomination was an affair arranged by the party leaders in Congress and formally ratified in a caucus of the Republican members of the two houses,—not without rivalries and a show of contest, indeed, but without difficulty; and the electors readily confirmed the choice. Massachusetts, Rhode Island, and New Hampshire returned in the election to their Federalist allegiance; three Federalist votes in North Carolina were added to the two which Maryland again stood ready to give: and Mr. Pinckney and Mr. King, who were again the nominees of the Federalists, received forty-seven electoral votes, instead of the beggarly fourteen they had received four years before. But Mr. Madison received one hundred and twenty-two. Mr. George Clinton, of New York, who had been chosen Vice President with Mr. Jefferson, after Mr. Burr's retirement, became Vice President for a second term with Mr. Madison. The reaction against the embargo had not touched the country at large.

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The country, indeed, had turned with a singular heartiness and unanimity from the Federalists to Mr. Jefferson and the party he had made, as if he had spoken the natural humor and inevitable principles of a new country wishing a new life of its own. The Federalists seemed of a sudden statesmen no longer, but a mere faction which wished accommodation with England upon any terms, for the sake of trade and the maintenance of a tradition. They seemed out of humor with the making of a free democratic nation: full of wholesome but irregular force; and handed even their one-time principles over to the Republicans: opposed them whether magnified the federal power by the purchase of Louisiana, and echoed the protests of the Virginia and Kentucky Resolutions when they enforced the embargo. It was evidently the tone and method of the new party rather than its rigidity in principle or consistency in action that had taken the fancy of the country. It used power as freely, and stretched the constitution with as little compunction in the using, as the Federalists before it. Though for a little while after its first elevation to the place of government it had railed in good set terms against the constitution itself, because it prevented the removal of obnoxious judges by mere address of the two houses; had wished impeachment to be regarded as a political, not as a judicial process; and had tried to use it to subordinate the courts to the political control of the President, it had soon forgotten that madness, and had used a very different tone in most things. It had voted money to build a great national road through the Cumberland Gap into the West, as readily as Federalists would have voted it, and with almost as little doubt or scruple as to constitutional powers. What had seemed a bit of treason against the government in the West had been snuffed out as promptly and unhesitatingly as the whiskey rebellion in western Pennsylvania had been snuffed out by Washington and Hamilton in their more questionable day of authority, when, Jeffersonians had said, a party acted and not the nation.

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The treason, if treason it was, had been Mr. Burr's, now a discredited, it might be also a desperate, man. His duel with Hamilton, which seemed like nothing less than a political murder, had rendered him of a sudden almost a political and social outcast; the last months of his vice presidency he had passed in bitter isolation from old friends and associates; and he had left office (March 4, 1805) stricken in every legitimate ambition. I am "under ostracism," he said. "In New York I am to be disfranchised, and in New Jersey to be hanged. Having substantial objections to both, I shall not, for the present, hazard either, but shall seek another country." The forced pleasantry covered no man could tell what purpose. His "other country" was the West. Leaving Washington in May, 1805, he swept in a swift journey through all the forested country which lay upon the eastern banks of the Mississippi from Kentucky to far New Orleans and back again, as if upon an errand. The next year he repeated the journey; and boats, provisions, munitions of war began to be gathered here and there on the Ohio and the Cumberland. It was said he meant to attack Mexico; that he meant to set up an independent empire in the West; that some great treason, or at the least some lawless scheme of freebooting, was afoot. Nothing could be proved. Mr. Burr was indicted and tried for treason (May-September, 1807), but there was not evidence enough to convict him. He left the country and wandered in restless loneliness through foreign lands, a ruined and hopeless man.

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He had at least furnished proof, men felt sure, that the loyalty of the West to the East could no longer be doubted or seriously tampered with: for, whatever it had been that he was plotting, he had got, it was certain, very little aid or counsel there, spite of appearances. The reign of the new party in national affairs had, at any rate, knitted East and West together; the makeweight of Louisiana had been added to the national scale; and Mr. Madison had the bulk of the country back of him.

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Mr. Madison loved peace, as Mr. Jefferson did, and was willing to secure it by any slow process of law or negotiation that promised to keep war at arm's length. But he presently found himself caught in the tangled network of policy which, as Secretary of State, he had woven for Mr. Jefferson. Mr. Jefferson's foreign dealings had turned, not merely upon Napoleon's decrees and the English Orders in Council against neutral trade, but also upon his desire to add the purchase of West Florida to the purchase of Louisiana, and so make good the dominion of the Union to the east as well as to the west of the Mississippi. First, when he thought England would aid him in that matter, he had played for a close friendship with her. When England failed him and it seemed as if Napoleon would compel Spain to make the cession if America would but turn away from England to him, friendly dealings with England had been given up and everything had been pulled about to please the master of France. Napoleon's diplomacy ran deeper than that of England. He stuck at nothing to gain his ends; was determined that America should serve him, not the English, in the mighty struggle he had entered upon to bring the world to his feet; promised everything to win America away from England, and then, having gained what he wished, repudiated his promises and did nothing. Mr. Jefferson had become deeply entangled, beyond hope of extrication; had become the professed friend of France, and had not gained Florida. Mr. Madison was left to face two unfriendly powers, to the more false and dangerous of whom it was his cue, it seemed, to play the complacent servant.

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For a brief space affairs seemed to clear very hopefully, as if the old tangle were about to be unravelled and dealings with England brought to a right posture again. Mr. Erskine, the British minister at Washington, young, sanguine, and inexperienced, agreed to a withdrawal of the Orders in Council, and Mr. Madison gladly suspended the operation of the Non-Intercourse Act in respect of Great Britain, as the terms of the Act permitted. But it turned out that the young minister had acted without authority. He was recalled, the Act was again put into force against England (August 9. 1809), and affairs looked uglier than ever.

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Then Napoleon practised anew upon the credulity of the Administration. On May 1, 1810, Congress formally repealed the Non-Intercourse Act, which would have expired by limitation at the close of the session without repeal, and authorized the President, in case either Great Britain or France should "cease to violate the neutral commerce of the United States," to revive and enforce non-intercourse with the other, should she fail to do the same. Napoleon promised that his decrees against American shipping should be revoked on the 1st of the following November, provided England would before that date withdraw her Orders in Council. England replied that she would rescind the Orders when informed that the Emperor had revoked his decrees. The Emperor sent word to Mr. Madison that his decrees were in fact revoked, and should cease to have effect after the 1st of November, if in the mean time the United States should "cause their rights to be respected by England."

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There was no doubt what that meant: non-intercourse with England as the price and condition of release from the intolerable restraints of France. And in tolerable they were. Nearly every port of the continent, whether on the Atlantic, the Mediterranean, or the Baltic, was under the Corsican's control; and everywhere American ships were seized and confiscated on the pretext that they were carriers for England, whom he meant to beat at any cost. Napoleon's decrees, like the English Orders in Council, had been nothing less than acts of war against the United States from the first, though not primarily aimed at her, and would at any time have justified a declaration of hostilities. But Mr. Madison did not want war. The United States were not strong enough,—particularly now that the party in power had disbanded its army, dismantled its navy, and reduced its revenues to a minimum. The President's principles clearly forbade war, besides. He wished to fight only with the weapons of nominal peace: embargoes and retaliatory restrictions. If Napoleon would yield his decrees, so much the greater pressure could be brought to bear upon England to yield her Orders in Council, and the vexatious game might at last be won. The Emperor was no doubt bringing the end of it within sight.

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Again too precipitate and too confiding, therefore, the President acted as if the game were already won and the matter already settled, so far as France was concerned. The 1st of November having come and England's Orders not yet being withdrawn, on the 2nd he made proclamation that intercourse with Great Britain and her dependencies would again be suspended on and after the 2nd day of February (1811) following, until England should yield. Only after he had fully committed both himself and the country did he learn how deeply and shamefully he had been deceived. The seizure of American ships in continental ports did not stop. Other decrees, other restrictions, old and new, sufficed for their condemnation as well as the decrees said to have been revoked. The revoked decrees themselves were still acted upon if occasion demanded. American skippers were but lured by a false security into virtually hostile ports. Their ships and cargoes were seized and confiscated without compunction or subterfuge, at a loss of quite ten million dollars in a single season. Ill feeling between England and the United States was seriously deepened, as the astute and unscrupulous master of France had meant that it should be; and every negotiation for an amicable settlement grew the more confused and doubtful. Every sinister influence seemed to draw Mr. Madison towards what he most dreaded and contemned,—towards a war of arms, brought on by a programme of peace.

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Negotiations dragged very slowly then, with the coming and going of tardy ships, which had oftentimes to steal like fugitives in or out of port. But all through the long year 1811, though hopes and plans and anxious fears came and went with doubtful ebb and flow, and no one knew what either England or France would do, it grew more and mole evident that the government of the United States must do something, if only to keep itself in countenance. It had pledged itself to believe that France had in good faith yielded to its demands. England made no pretence of having yielded or of intending to yield. Evidence multiplied that France was playing a double and lying part. Mr. Madison's mortification was complete and very bitter; but no one deemed it possible that the United States should fight both France and England at once. Men's minds were slowly made up to stomach France's deceptions and fight England. At least it was so with the President, who saw no way of retreat not too humiliating to be borne; and it was so with Congress, which had passed under the control of new leaders.

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An air of radical action began to stir the moment Congress assembled (November 4, 1811). It was the first session of the Twelfth Congress. In the House seventy members, out of a total of one hundred and forty-one, were new men, and for the most part young men: their leaders young men like themselves. Most conspicuous among them was Henry Clay, a man not yet turned thirty-five, whose tall and striking figure, easy way of comradeship among men, free and ringing eloquence in speech, and ready mastery in the battle of debate gave him an engaging preminence, which no man without an equal charm and power could dispute with him. There was something in the whole make up of the man,—his free pose, his candid way of utterance, his dash and telling vigor—which bespoke him the Kentuckian, the man of the new and confident West, where the frontier of settlement was near at hand and where the forces of irresistible growth and initiative were abroad. And yet there was an art, a winning persuasiveness, a reverence for old ideals, a flavor of old principles in all that he did and said which seemed a reminiscence of his birth in Virginia, where tradition was from of old and kept its votaries. Scarcely less striking was John C. Calhoun, the new member from South Carolina, a young man not yet thirty, who showed in every piece of business he handled a maturity like that of the young statesmen of the constitutional convention. There was the air of the scholar and student about him. His luminous sentences, uttered in debate, shone upon every matter they touched with singular steadiness and with a light at once vivid and diffused, disclosing the distant view no less than the thing at hand. A strain of passion and of quiet energy showed in him which caught the imagination and touched the purpose of those about him. It was inevitable that these men should lead,—these and the other men of the new age who stood with them and were of like principle and purpose: in the House, Langdon Cheves and William Lowndes, of South Carolina; Richard M. Johnson, of Kentucky; Peter Buel Porter, of New York; and in the Senate, William H. Crawford, of Georgia.

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Mr. Clay was chosen Speaker and organizer of the House, and it proceeded to the business which led to war. These men had made up their minds that the country should fight. The President could not but take their purpose, having no alternative to suggest. The tangle of French diplomacy could not be straightened out, the stubbornness of England could not be budged: the country, as if by hereditary choice, chose to fight England and let France go her way for the present. The grounds of the war were singularly uncertain. France was doing much more to injure neutral trade than England was. That very spring (1812) a French fleet put to sea confessedly commissioned to burn American merchantmen wherever found. Mr. Madison urged against England the old grievance of impressment, and no one could doubt its weight or gravity. Nearly every twelvemonth between 1804 and the embargo close upon a thousand men a year had been seized out of American ships. American tonnage increased seventy thousand tons a year so long as American skippers were permitted to enjoy the profits of neutral trade; four thousand two hundred additional men were needed yearly to put crews into the new craft, and it was estimated that twenty-five hundred of the new men were in fact British subjects, no small proportion of them unquestionably deserters from his Majesty's navy. Every American sailor went about with a certificate of citizenship which described his "eyes and nose and mouth and chin, the color of his hair and complexion, and the marks and scars about his person,—like the advertisement of a runaway slave,"—and yet was not safe. Actual outrages often accompanied the ceaseless impressments, and only the embargo, which kept ships in port, had thrown the matter for a little into the background. But it had been thrown into the background. Mr. Jefferson had let it go almost without protest since his commissioners had failed to induce England to abandon it. It was now clearly an afterthought as a ground for war. There was no excitement in the country; only a vague irritation and fretfulness. But the drift had set in, and the majority went with it, dragging the country. In April, 1812, an embargo was enacted, preparatory to war; and on the 18th of June war was declared. The very day before (June 17th) the English Parliament had repealed the Orders in Council. The change of mind and of policy long looked for in England had come at last, and the cause of the war was taken away on the very eve of its outbreak.

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It was a foolhardy and reckless risk the Congress was taking. The country had been "embargoed and non-intercoursed almost into a consumption," as Mr. Randolph said, very passionately. It was certainly no time for battle. The party in power had relied on embargoes and non-intercourse and had disbanded the army. The revenues of the government were scarcely more than sufficient for its meagre peace establishment. The very Congress which voted the war refused to provide for the taxes which Mr. Gallatin told them would be necessary to carry it on. The preceding Congress had refused to recharter the Bank of the United States, the government's only effective financial agency, and the currency was already falling, as a consequence, into hopeless confusion, running through a quick depreciation.

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What was worse, the risk of the war was not a whitmore obvious than its deep impolicy. Napoleon was the enemy of the civilized world, had been America's own enemy in disguise, and had thrown off the disguise. England was fighting him almost alone, all Europe thrown into his scale and hers almost kicking the beam; and now America had joined the forces of Napoleon, in fact if not in intention, as he had subtilely planned. It was natural that the raw and rural nation should thus have seen its own interests in isolation and indulged its own passion of resentment with selfishness. England's policy had cut America to the quick and had become intolerable, and it did not lessen America's exasperation that that policy had been a measure of war against the Corsican, not against her. It was a tragical but natural accident that the war should be against England, not against France.

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It was thus that the New England Federalists saw the war; but they deemed the accident inexcusable and pressed their opposition almost to the verge of treason. The trade of the shipping puts had of course suffered immensely at the hands of both England and Napoleon. But the profits of the neutral carrier were enormous, nevertheless, in that troubled time. Such ships as escaped seizure and made good their voyage recouped their owners for many lost. Ship building went forward very prosperously in America despite every order and decree of the belligerents; and so long as there was no embargo to restrain and make them outlaws at home merchants almost cheerfully took the risks of the sea. The embargo which immediately preceded the war was intended, of course, to call the shipping in for its own protection; but merchants hurried every available vessel to sea as soon as they heard it was to be passed, in order to be beforehand with it and take the risks Congress sought to protect them against. Once again, when the embargo came, the opposition of New England became factious and desperate. It spread to New York, which passed from the control of a Republican to the control of a Federalist majority. It threatened hopelessly to embarrass the government, if not to jeopardize its very existence.

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The course of the war did little to improve matters. The government had neither the means nor the organization to conduct it. The President was authorized to increase the regular army from six to twenty-five thousand men, to call for fifty thousand volunteers, and to employ one hundred thousand men from the militia of the States. But volunteers were not to be had for the asking; and officers were even harder to find than men. The governors of Massachusetts, Connecticut, and New Hampshire, though they would not forbid recruiting, refused to permit the use of their organized militia outside the limits of their States, thinking themselves legally justified by the terms of the constitution, which authorized Congress to provide for calling forth the militia only "to execute the laws of the Union, suppress insurrections, and repel invasions," and said nothing of a war like this. The President, accordingly, withdrew all federal garrisons from New England. The only general officers available were either veterans of the Revolution, too old to be serviceable, or mere politicians who claimed preferment as a political favor. The income of the government never while the war lasted rose above ten millions a year; but its expenses for the war turned out to be from thirty to forty millions per annum. Loans had constantly to be resorted to; most of the money of the country was in New England or at the great ports, where the war was hopelessly unpopular; men were inclined to refuse to aid a government which had already more than once ruined trade and prostrated business,—if only to show their temper in affairs; and the credit of the government sank lower and lower. Congress was obliged to resort at last to the very excise taxes which all Republicans had so hotly condemned the Federalists for imposing; to lay direct taxes on such articles of personal use as household furniture and watches; and finally, when the war was over but not the difficulties of finance, to reestablish the Bank of the United States (April, 1816). A few light duties on imports could not support the government when every principal harbor of the country was blockaded.

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For almost three weary years the war dragged on. It was a war upon the borders: the long northern frontier, the defenceless coast, the easy points of approach on the Gulf. As in the Revolution so now, the heart of the country went untouched. Along the short lines of the Detroit, the St. Clair, and the Niagara; on the waters and shores of the great lakes; and up and down the line of Champlain, where Burgoyne had moved in the wilderness, were the chief scenes of the uncertain fighting. On the coasts English fleets swarmed thicker and thicker until almost every important port was effectually closed. Finding no opposing force to attack, their crews made frequent descents upon defenceless settlements, which they burned and plundered. In August, 1814, a strong British force landed in Chesapeake Bay, close to the capital; marched upon Washington, which the government, knowing the place to be of no strategic importance whatever, had not thought of providing with defences; took it without difficulty, the officers of the government barely escaping capture; burned the public buildings; and turned to an attack on Baltimore which was gallantly repulsed.

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The year 1814 had set England free to prosecute the war with vigor. Napoleon was beaten. The very month Congress declared war against England he had attacked Russia for a final triumph. Five hundred and fifty thousand men he took against her, the combined armies of subjugated Europe. But disaster dogged him at every step. Three hundred thousand lives he threw away; more than a hundred thousand men he left in the hands of the enemy. He came back with barely one hundred thousand (December, 1812), to face a rising of the nations. Germany, Spain, Sweden, every people in Europe roused itself to crush him. His armies dwindled and were beaten, by Wellington in Spain, by Blucher beyond the Rhine. By the end of March, 1814, the allies leagued against him were in Paris; in April he was an exile in Elbe.

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But America by that time had drilled troops and experienced officers, trained by the hard processes of the war itself. What proved of as much consequence, her little navy startled the world by its extraordinary exploits. There were but seven frigates, great and small, besides a corvette or two and a few small brigs; but her seamen were professionals, not amateurs like her soldiers. Whenever they could elude a British fleet watching at the harbors where they lay, and come to a reckoning with their foes, vessel with vessel on the sea, they almost without exception won, and won promptly, by expert seamanship and good gunnery; and British captains were ordered to sail, not singly but in company, to be safe against them. Little navies were created, too, on the lakes, where they were built while the war lasted. Commodore Perry in a single gallant action (September 10, 1813) won entire control of Lake Erie, and set a body of troops across the lake whose decisive victory on the Thames ended the war in the northwest. In the summer of 1814 Commodore Macdonough met the English on Lake Champlain (September 11th) and won a victory which once for all ended plans of invasion there.

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As the war progressed discipline came to the raw armies of the Union and they began to be handled by men who understood their duty and performed it in soldierly fashion. The war had begun with a series of defeats in the north at once ridiculous and disgraceful; but the whole face of affairs changed when the Americans drove the British troops from their batteries at Lundy's Lane (July 25,1814) and kept their victory half the black night through against assault after assault; and the fortunes of the field swung measurably even after that from action to action.

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The war closed in the South. There the British sent Pakenham with twelve thousand men, veterans for the most part from the fields of Spain, to take New Orleans, which they meant to hold for such terms as might suit them when the war was done. There, on the 8th of January, 1815, General Andrew Jackson received him, at the trenches the Americans had drawn across a narrow strip of land below the city, and beat him off with half the force: sent him back in utter rout, with twenty-five hundred men less than he had brought. Jackson himself lost but eight killed and thirteen wounded.

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Two weeks before that notable affair at New Orleans (December 24, 1814) a treaty of peace had been signed at Ghent, of which the country knew nothing. England had several months earlier made known her willingness to treat. The war was costing her ten millions sterling a year; and she made no real headway in it. Mr. Madison hurried commissioners over sea at the word, and by December terms had been agreed upon. It was a mere treaty of peace and of boundaries. The Orders in Council were long ago repealed; impressment was not mentioned,—was, indeed, itself a matter settled well enough by the defeat of Napoleon and by the new respect America had gained on the seas. The war itself was no doubt sufficient guarantee that another for a like purpose would never be necessary.

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Peace came none too soon to check the sinister influences of politics at home. New England had contributed men and money to the war as the law required and her means permitted. Because she was wealthy and populous, she had, indeed, contributed more than the South and West, whose representatives in Congress had brought the war on despite her passionate protests. But the temper of her leading men grew more and more impatient and insubordinate as the war advanced. In December, 1814, at the call of the legislature of Massachusetts, a convention of delegates from Massachusetts, Connecticut, and Rhode Island met at Hartford whose secret sessions made the whole country uneasy. There was nothing actually revolutionary in what it did, so far as the country could learn; it had met for consultation, no doubt, not for action. But it spoke the very language of the Kentucky and Virginia Resolutions in the papers which it put forth; it was known to represent men who had more than once been openly and aggressively a pro-British faction, men who Hamilton and John Quincy Adams had feared might go the treasonable length of disunion; it insisted upon amendments to the federal constitution which should protect minorities of States from majorities. When the war closed a committee of its members was in Washington to demand of the government that the federal taxes should be divided and the New England States permitted to retain those which their own people paid in order that they might apply them as they pleased to their local defences. The treaty of peace sent them home belated and derided. The Hartford convention was the end of the Federalist party. But it had none the less been a very sinister sign of the times.

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If the war had done nothing else, however, it had at last made the country quick with the spirit of nationality, and factions were discredited. The war of the Revolution had needed a war for independence to supplement it, as Mr. Franklin had long ago said. Until now, notwithstanding the separation, English statesmen had deemed the United States still in no small degree dependent upon England for their place and privilege in the world, and America had virtually in her thought accepted a position of dependence. The Federalists had been ashamed of no concession or submission to England, when once their greater leaders had fallen silent. This clumsy, foolhardy, haphazard war had at any rate broken that temper. The country had regained its self-respect. The government of the Union, moreover, was once more organized for rational action. The party which controlled it had once for all given up the theories which made it conscientiously weak and inefficient upon principle. It was ready now upon occasion to raise armies, impose direct taxes, avail itself of the services of banks, and serve the country by means which should hold the nation united and self-centred against the world.

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Authorities: For general guidance through this period we have the fourth, fifth, and sixth volumes of Hildreth, the first three volumes of George Tucker's History of the United States, the second and third volumes of John Bach McMaster's History of the People -of the United States, the first and second volumes of James Schouler's History of the United States of America under the Constitution, the first volume of Dr. Hermann E. Von Hoist's Constitutional and Political History of the United States, and the fourth volume of Bryant and Gay's Popular History of the United States. With the accession of Mr. Jefferson to the presidency, Mr. Henry Adams's admirable History of the United States during the administraditions of Jefferson and Madison becomes indispensable. The late Mr. Alexander Johnston contributed to J. J. Lalor's Cyclopaedia of Political Science, Political Economy, and United States History articles on the chief topics and events of this period, such as the purchase of Louisiana, the embargo, and the war, which exhibit at their best the painstaking and the judicial temper of the trained historian. For the rest, our general authorities are John C. Hamilton's History of the Republic of the United States of America as Traced in the Writings of Alexander Hamilton and: His Contemporaries, a voluminous work in seven volumes; Edward Stanwood's History of the Presidency; George Gibbs's Memoirs of the Administrations of Washington and Adams; William H. Trescot's Diplomatic History of the Administrations of Washington and Adams; the first volume of J. P. Gordy's History of Political Parties in the United States; Charles Francis Adams's Life of John Adams; George Tucker's Life of Thomas Jefferson; John T. Morse's Life of Alexander Hamilton; Henry Adams's Life of Albert Gallatin; William C. Rives's History of the Life and Times of James Aiadison; Josiah Quincy's Memoir of the Life of John Quincy Adams; Edmund Ouincy's Life of Josieh Quincy; Henry Cabot Lodge's Life and Letters of George Cabot; C. W. Upham's Life of Timothy Pickering; Moncure D. Conway's Omitted Chapters of History, disclosed in the Life and Papers of Edmund Randolph; Matthew L. Davis's Memoirs of Aaron Burr; H. M. Brackenridge's History of the Late War; William Jones's Military Occurrences and Naval Occurrences; Charles J. Ingersoll's Historical Sketch of the Second War between the United States of America and Great Britain, ;Size; Benson J. Lossing's Pictorial Field Book of the War of Siz; and Theodore Roosevelt's Naval War of 1812.

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The very notable set of brief biographies known as The American Statesmen Series constitute, when put together, an excellent history of the country from the points of view of its several public men of chief importance. The volumes for this period are those on Washington, John Adams, Hamilton, Jefferson, Madison, Jay, Gallatin, Gouvenur Morris, John Marshall, John Randolph, Clay, John Quincy Adams, and John C. Calhoun. Having been prepared by different authors, these volumes are necessarily unequal in authority and merit, but the series as a whole is of remarkable excellence.

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The documents and contemporary materials are to be found in the Annals of Congress; Thomas H. Benton's Abridgement of the Debates of Congress; the American State Papers; the Works, Papers, and Correspondence of the leading public men of the time; John Marshall's Life of George Washington; John Quincy Adams's Memoirs; the Diary and Letters of Gouverneur Morris; Timothy Dwight's Travels in New England and New York (1796-1817); Rochefoucault-Liancourt's Voyage Dans Les Etats-Unis (1795- 1797); J. Weld's Travels through the States (1795-1797); Thomas Ashe's Travels in America (1806); John Melish's Travels in the United States (1806-1811); John Davis's Travels of Five Years and a Half (1798-1802); S. G. Goodrich's Recollections of a Lifetime; William Sullivan's Familiar Letters on Public Characters; Memoirs and Letters of Dolly Madison, Wife of James Madison; John Randolph's Letters to a Young Relative; William Cobbett's Porcupine's Works; Henry A. Wise's Seven Decades of the Union; Timothy Dwight's Character of Thomas Jefferson as exhibited in His Writings; Henry Adams's Documents Relating to New England Federalism; James Monroe's View of the Conduct of the Executive in the Foreign Affairs of the United States; J. Stephen's War in Disguise, or the Frauds of the Neutral Flags; Coggeshall's History of the American Privateers; Dwight's History of the Hartford Convention; S. Leech's Thirty Years from Home (upon a vessel of the United States); and, after 1811, Niles's Weekly Register.

Chapter 4:

Critical Changes

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A CRITICAL presidential election had marked the very outset of the war. Mr. Madison had, no doubt, been Mr. Jefferson's lieutenant and chosen successor, and had meant to walk in his footsteps, preserving peace at the price of embargoes and domestic agitation, and keeping the federal government in the background, even though it should cost it its strength and prestige. But there had been men of his own party from the first who earnestly objected to the succession, wishing a leader of a different temperament and fibre. "We ask for energy," they said, "and we are told of his moderation; we ask for talent, and the reply is, his unassuming merit." The very war itself had come because Mr. Madison and his cabinet, like Mr. Jefferson and those who counselled him, had nothing to suggest, whatever wrong was wrought upon them,—except to withdraw from the seas, close the ports, build gunboats to defend the harbors, and wait until the inevitable should be at hand. While they waited every condition of national politics shifted and was altered, and watchful men who wished for action had grown deeply uneasy.

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Sixteen years of Jeffersonian supremacy had culminated in a war which was against all Jeffersonian principles, and there had come about, while no one planned, an unlooked for disorder of parties, a bewildering reversal of parts in every matter of policy. In June, 1813, Mr. Josiah Quincy, no Jeffersonian, but a Federalist, professing to be of the school of Washington and Hamilton, had moved, in the legislature of Massachusetts, that "in a war like the present, waged without justifiable cause and prosecuted in a manner which indicates that conquest and ambition are its real motives, it is not becoming a moral and religions people to express any approbation of military or naval exploits which are not immediately connected with the defence of our sea-coasts and soil,"—words which rang true to the earlier tones of Jeffersonian profession. The young leaders of the new Republican Congress, on the other hand, Jeffersonian Republicans though they professed to be, had pressed the war forward in the spirit, if not with the method, which had been Washington's and Hamilton's. Mr. Madison was not their real party head. Only eighty-three of the one hundred and thirty-three Republican senators and representatives attended the congressional caucus which gave him his nomination for a second term (May, 1812); and he won the election only by the vote of Pennsylvania. Mr. De Witt Clinton, of New York, Republican though he was, had put himself forward as an independent candidate, had carried New York with him into opposition, had received the support of the Federalists, desperate for success, and had been voted for by the electors of every northern State except Pennsylvania and Vermont. Mr. Madison had received the solid support of the South and the votes of Vermont and Pennsylvania. Pennslyvania's twenty-five electoral votes had decided the election (128-89). Parties were breaking up, and Mr. Madison's personality was not strong enough to hold his own party together. It had been a hazardous test of party allegiance with which to begin a war.

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And then, when the war was over and Mr. Madison's eventful second term at an end, there had been another choice of President which seemed to go by rule of thumb rather than by the real preference of those who guided affairs. Mr. Monroe received the succession,—not because of his personal force or because of any gift of leadership discoverable in him, but because, by long public service and by intimate association with the leaders of his party, he had made his way into the inner group of politicians long since gathered about Mr. Jefferson. Virginia, one of the most populous and influential States of the Union, was the Republican party's centre of gravity. Her public men, with twenty five electoral votes behind them, dominated Republican party counsels; and Mr. Monroe was their choice for fourth Virginian President. His nomination was carried in caucus, it is true, only by the narrow margin of eleven votes over Mr. Crawford, of Georgia; but, that initial victory won, the presidency followed as of course. Mr. Madison had shown himself a statesman rather in the framing of institutions and the formulation of law than in the government of events. Mr. Monroe, without his studious comprehension of principles, stood for at least a like experience in affairs. The country, it seemed, was not yet ready for younger men, and there was no party set against him that could defeat him. The Federalists knew themselves discredited. What with their factious support of Mr. Clinton, who had never avowed any principle which they could pretend was their own, and the ugly threat of the Hartford convention,—their loss of principle in following the men they did follow and the openly avowed disunionist principles of the one-time leaders whom they did not follow,—the country at large had turned from them in contempt and deep distaste. Their electoral vote fell off to thirty-four again: the votes of Massachusetts, Connecticut, and Delaware.

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No doubt it was a fortunate choice which preferred Mr. Monroe at such a time. A man of aggressive force and enterprising initiative would too much have disturbed the quiet, spontaneous processes by which, in those years of peace and yet of quick transition, parties were finding themselves and making ready for a new age. That the new President was no master of men had become evident enough while he was a member of Mr. Madison's cabinet. He had accepted the Secretaryship of State in April, 1811, with the avowed intention of extricating the country from the entanglements into which Mr. Jefferson and Mr. Madison had suffered it to be drawn; but the dark tide of perplexed diplomacy which swirled about the Napoleonic wars, and which had overwhelmed Mr. Madison, had caught him also in its fatal drift, and he had become Mr. Madison's comrade merely, not his guide. He lacked originative strength, but not sound character; he fell short of the equipment of a statesman, but not of the equipment of an upright and serviceable public officer. He was able, his colleagues found, "to keep important matters steadily under his attention until he had mastered them and could form his judgment accurately concerning them"; and looked into his duties with "a mind of capital integrity and ingenuous honesty." Without the social gift to preside with grace, he brought dignity and good temper to his task, and the safe traditions of an elder school in politics.

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While he steadily held the government to its accepted and established mode of action and of growth, many things disclosed themselves in the life of the country, and politics moved forward to a new order. Hitherto the country had known the leadership only of New England and the South, regions peopled straight out of the Old World: the one ruled by a professional aristocracy of ministers and lawyers, the other by a social and proprietary aristocracy of land owners; both governed, alike in thought and action, by old traditions and both smacking, whatever their professions of democratic principle upon occasion, of an old-world taste for privilege and for the authority of a trained, experienced, disciplined minority. But since the new century opened and Mr. Adams gave place to Mr. Jefferson new States had come crowding faster and faster into the Union, and came crowding still: Ohio (1802), Louisiana (1812), Indiana (1816), Mississippi (1817), Illinois (1818), Alabama (1819); most of them springing up in the far valley of the Mississippi, where new communities bred a new air and the sap of a new nation was rising. Transplantation thither seemed to create a new race,—not the mere offspring of New England or the South, not mixed or compounded of the two in such ways as to reproduce the East, not moulded from the Old World, not homogeneous even, but full of racy elements united in a new and free combination, more like New York and Pennsylvania than like Virginia or Massachusetts, and yet different also from these, with a flavor and spirit distinctively its own.

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The country was at last in a position to feel at their full these forces from within, and to respond to them quickly and naturally. By the mastery of Wellington and Blucher at Waterloo (June 18, 1815) Europe had found peace again. For the first time since the Revolution in France, since the setting up of the federal government in America, the seas were cleared of hostile armaments. Questions of impressment and of the rights of neutral carriers at sea fell quietly out of sight amidst a general peace. Every strain was eased, and the young state in the West, which the great storm of war over sea, spreading blackly from continent to ocean till it seemed to fill the world, had at last touched and tested, could turn to its own affairs with a novel sense of freedom from outside influences or interruption.

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She found her affairs and her life singularly altered. Peace changed the very face of trade. American skippers no longer had the lucrative advantage of commanding the only vessels free to pass from port to port amidst a world at war. There was, indeed, still plenty of carrying to be done at sea. Crops fell short in Europe after the scourge of war, and America filled all the ships she could get with grain for the markets over sea. English merchants poured their goods once again into the American ports, so long shut against them by embargoes and war. But seamen of every nation could compete for the trade, and the Yankee skipper had no longer any advantage except such as his wit and sea-bred fitness gave him.

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The very freedom with which trade moved, besides, altered the attitude of the country towards it. Manufactures had sprung up while the ports were closed. The very ship owners of the trading ports had in many instances sold their craft and put their capital into the manufacture of such things as were most immediately needed for the home market. By the year 1815 close upon fifty million dollars had been invested in the manufacture of textile fabrics alone. In 1808, when feeling ran so hot in the East over the embargo, there were but eight thousand spindles employed in the manufacture of cotton, and only some fifteen hundred bales of cotton per year were needed to supply them; but in 1815 there were five hundred thousand, and ninety thousand bales of cotton were used within the year to keep them busy. In 1814 Mr. Francis Lowell, of Boston, had set up at Waltham the first factory ever established in which every process in the manufacture of cotton, from the cleansing and carding of the raw material to the weaving of the cloth, was carried through under a single roof, each step intelligently and economically coordinated and fitted to the next. The secret of the power loom successfully put into operation in England in 1806 had been very jealously and carefully guarded by its inventors, but Mr. Lowell, with the assistance of shrewd mechanics, worked its principle out to a successful application for himself, and the American factory system was once for all established. The new movement did not stop with the establishment of cotton factories. The manufacture of wool and flax and hemp and even silk was added. The machinery which could not be bought in England was made in America. Iron manufactures, long ago set up but tentative and feeble hitherto, increased from hundreds of thousands to millions in value under the stimulation of foreign trade cut off. Hides and skins were extensively prepared; liquors were distilled and fermented from the abounding grain and fruits of the country-sides; glass, earthenware, furniture, almost everything that was in general use in the country, was sooner or later added to the growing list. Industries long ago begun upon a small scale took heart to grow, and those which Americans had hitherto not dreamed of attempting were hardily embarked upon. Distinct manufacturing regions began sensibly to develop in the middle States and in the East, with interests and characteristics which statesmen could not' afford to overlook.

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It was manifestly a menace to every young industry that a flood of English imports should continue to pour into the country at the open ports. The remedy was a protective tariff, such as Mr. Hamilton had wished to see at the first; and the young Republican leaders of Congress did not hesitate to advocate and establish it (April, 22, 1816). Mr. Madison himself favored and even urged it, as he had favored and urged also the re-establishment of the national bank. Western members of Congress supported it because they wanted and could get duties on flax and hemp. Every State in the Union except Delaware and North Carolina was represented by at least one member in the vote which established it. Men of the most diverse views and interests united in wishing to give the country not only political but also economic independence. Mr. Clay urged that it ought to be put into a position to develop every resource that could serve it or make it powerful in time of war. The duties imposed were not high: twenty-five her cent upon cotton and wooden goods, and upon other manufactured goods in proportion. But the duties on cottons and woollens were made very formidable, as it turned out, by a provision that in no case should they amount to less than six and a quarter cents a yard. At the very outset that represented a tax of more than twenty-five per cent on the coarse goods which the southern planters bought for the use of their slaves; and as the processes of manufacture cheapened this fixed minimum represented, of course, a larger and larger fraction of the price. It was pretty sure in the end to become an effectual barrier against all foreign competition.

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The men who planned these things saw also the danger of mere development, the risk in growth itself, unless the country, with its long coast and scattered settlements, spreading more and more upon the unlimited spaces of the great continent, were in some way bound together by easy means of intercourse and union. It had been found next to impossible to handle armies in the northern forests during the war, or in the long wilderness which lay upon the lower Mississippi between the Atlantic settlements and the Gulf: difficult to handle them anywhere at the heart of the country, even amidst the oldest settlements,—for lack of roads or any open way of transport except where rivers or the lakes themselves lay like highways. The troops had been time and again likely to starve, not because there was not food enough to be had upon the order of the government, but because it could not be got to them. The commissary had infinitely more difficult duties than the general in command. Great highways were needed, alike for war time and for times of peace, and a system of canals cut from watercourse to watercourse. Mr. Gallatin had outlined what ought to be done so long ago as April, 1808, in a forcible report to Congress, planning a whole scheme of intercommunication with all his wide-eyed, statesmanlike sagacity in such matters; but Mr. Jefferson, though he felt nothing less than enthusiasm for the Secretary's plan, had demanded first a constitutional amendment to make it legal. Mr. Gallatin's broad purpose of "internal improvements" upon a national scale and at the nation's expense slumbered, therefore, until the Congress came which the young Republicans led who made war on England. Then (December, 1816) Mr. Calhoun, of South Carolina, proposed that the million and a half dollars which the new national bank had paid the government for its privileges should be set aside as a fund "for constructing roads and canals and improving the navigation of watercourses." But, though the bill passed, Mr. Madison vetoed it, entertaining Mr. Jefferson's scruples in the matter; and for a little while longer the plan was put aside. The federal government did nothing but slowly push forward through the Cumberland Gap into the West a single great road which was meant to be the nation's highway to the lands on the Ohio, its common estate in the far western valleys. This road the government had begun in 1806, and from year to year small appropriations had been made for its extension as opportunity or money permitted. But for anything more than this the time was not yet quite ripe.

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The new national principles of the Republican leaders found fuller scope and a wider application in affairs when Mr. Monroe became President,—not so much because of any change from the old order of thinking in Mr. Monroe himself, as because events overruled party creeds and made their own terms with abstract principles. Subtly, insensibly, by an alchemy whose processes no man knew or guided, the transformations of growth were becoming also transformations of character in the young body politic of the Union. Young men, and men not hitherto looked to for leadership, were pushing themselves to the front. Mr. Madison had already called Mr. Crawford, of Georgia, one of the new group of congressional leaders, into his cabinet, and Mr. Monroe retained him as Secretary of the Treasury. He called Mr. Calhoun, of South Carolina, to the Secretaryship of War. The State Department, hitherto the chief post of each administration, he put into the hands of Mr. John Quincy Adams, whose defection from the Federalist ranks in 1808 had shown in him the temper and the audacity of the man who dares interpret the signs of the times and is not subject to the discipline of parties retrogressive or gone astray.

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Letters written by Mr. Jefferson and Mr. Madison from their quiet places of retirement could not hold the country back from radical change. Every year the mere scale of affairs, if nothing more, was enlarged and altered,—by the tidelike movement of population into the western country, the setting up of new States, the quick transfigurements of economic conditions, the incalculable shiftings and variations of a society always making and to be made. It was found when the census of 1820 came to be taken that the total population of the country had increased from 7,215,791 to 9,638,191 within the decade. Twenty thousand immigrants had come in at the ports the year Mr. Monroe became President (1817). It was not merely a growth along the old lines and at the old seats of population. The restless, unceasing, adventurous movement of the nation made a deeper impression upon its politics than did its mere growth. The boatman's song on the long western rivers, the crack of the teamster's whip in the mountain passes, the stroke of the woodman's axe ringing out in the stilness of the forest, the sharp report of the rifle of huntsman, pioneer, and scout on the fast advancing frontier, filled the air as if with the very voices of change, and were answered by events quick with the fulfilment of their prophecy.

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Five States were admitted to the Union within the first four years of Mr. Monroe's administration, as many as had been admitted within the five-and-twenty years preceding, as many as were to be admitted within the five-and-twenty years to follow. And the list of new States was not complete before an issue had been raised whose significance was only too plainly of the future: not a thing to be settled at a stroke, but a thing to be slowly tried out by the long processes of the nation's life. It startled him, Mr. Jefferson said, "like a fire-bell in the night." It arose out of the application of the Territory of Missouri to be admitted to the Union (March 6, 1818). Missouri had been settled out of the South; slave owners had followed the hardy first settlers thither; and now they asked leave to come into the Union as a State with the institution of slavery secured to then, in their constitution. Here was a question which aroused passion and challenged principle upon the instant,—an issue between the North, which had rejected slavery, and the South, whose industries and whose very social order were founded upon it.

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Southern statesmen had dominated the counsels of the ruling party of the nation these sixteen years and more. Men out of the South were also making and governing the West. The broad stretches of the great State of New York, themselves but half peopled and full of fair regions inviting to settlement, lay between New England and the far-away valleys where new States were to be built; the unoccupied forests of Maine were near at hand and easy of access at the north; many a tract within the borders of New England's own little commonwealths still awaited occupation and development. By special effort an "Ohio Company," organized in Massachusetts by veterans of the Revolution, had sent bands of settlers out of New England to lands which it had purchased and reserved upon the northern bank of the great river the French had coveted, and little hamlets of their making had sprung up there and flourished. Its settlers, crowding slowly in, had played a notable part in making the young State of Ohio ready for admission into the Union (1802). But it was not men out of New England, or even out of Pennsylvania and New York, which lay so close at hand, who were as yet playing the chief part in the West. Kentucky and Tennessee, themselves but the other day built into States by hunters, woodsmen, pioneers, adventurers, while the Revolution was being fought out and the Union brought into existence, furnished the men who were fittest for the first enterprises of conquest and settlement beyond the Ohio and the Mississippi: the conquest of nature and of the doughty tribes of red men who were still knights challengers there in the daunting wilderness.

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The Ohio poured its open flood along all the northern front of Kentucky from northeast to southwest; the Mississippi itself was at her doors at the west, and swept slowly down, below her, along all the western front of Tennessee. Kentuckians had constituted the chief part of the rough-and-ready muster which beat the English and Tecumseh's braves, their allies, at the Thames by Lake St. Clair, to make safe the northwestern border in the war of 1812. Tennesseeans, under a Tennesseean commander, had lain in the trenches at New Orleans in the mist of a January morning in 1815, and saved the South on a famous field. Men upon those frontiers had the initiative, the training, and the zest for every sort of daring and endurance, and a sense of comradeship which made the whole long border seem to them their common home and field of endeavor. It was they who crowded first across the great streams at their front into Indiana, of which they had been prompt to make a State in 1816; into Illinois, presently to be admitted (December, 1818); and into Missouri, which they now insistently asked leave to bring in. Indiana and Illinois lay above the Ohio, and were parts of that great Northwest Territory which Virginia and her sister States had consented to part with as a preparation for the setting up of the Confederation. It had become, as they intended, a national domain, for whose organization and development the Congress of the Confederation had made well-considered plans in the famous Ordinance of 1787. That Ordinance was still the law of the land. It forbade slavery forever. The pioneers who had pressed across the Ohio from the south, to make the new commonwealths now established there, had been promptly followed by men out of the older settlements behind them out of Virginia and North Carolina, and out of the long-settled neighborhoods of Kentucky and Tennessee themselves. These men had again and again petitioned Congress for permission to own and employ slaves in their new homes; but Congress had refused to relax the law. In Missouri there was no such bar. Slave owners could take up lands there and put their slaves upon them. It was a region carved out of the vast Louisiana purchase beyond the Mississippi. Its lands stretched wide upon the open prairies of a new region for which Congress had made no law. Institutions might shape themselves there at will; and did shape themselves, accordingly, to the masterful will of the aggressive men who had gone over to possess the land.

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It was, indeed, a masterful race which the men of the East were slow to understand or sympathize with,—a race bred to warfare and a lawless mastery. It had made short work of overcoming nature in the wilderness, and as short of driving the Indians with slaughter and savage force from their hunting grounds and bits of tillage. It had meant to cross the river and make itself free of the great province of Louisiana whether Mr. Jefferson had bought the inviting region or not. Not content with such trade as they could get upon the rivers at the east, its pioneers sent caravans of white-hooded wagons across the long plains into the far southwest, from their new seats in the Missouri country to the Spanish settlements which lay upon the Rio Grande del Norte. Their talk was already of a time when they should thrust the Spaniard out there also, and have all the continent from ocean to ocean, north and south, as one unbroken national domain.

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Such men were not likely to take a refusal when they asked to be admitted to the Union, whatever their proffered state constitution contained of institutions distasteful to politicians in the East. But their request threw Congress and the country itself into a very fever of debate. Here was indeed a critical choice to be made concerning the extension of slavery. Slavery had found no suitable place in the economy of the northern States, where free labor had from the first predominated, and was now abolished: though it had been permitted in every one of them no longer ago than the year of the Declaration of Independence, and had been abolished in some but the other day. In the South, on the other hand, it had long been habitual and of the fixed and accepted order of society, the very foundation of an aristocratic system and way of life; and was now about to get a new hold and enjoy a new reason for being. In the days of the Revolution there had seemed a considerable body of sentiment against slavery even in the South. Many a generous protest had been uttered there against it, especially in Virginia, by men who were no closet philosophers, but the trusted representatives and leaders of their State; who declared that it discouraged arts and manufactures, degraded labor, and had a most pernicious effect on manners. But such sentiments had given way before the fact of its inveterate rootage and before the increasing value and serviceableness of slave labor in the cotton fields, as the crop rose from hundreds to hundreds of thousands of bales, and the spindles both of Old and New England waited on the bursting of the boles. The cotton gin which Mr. Whitney had invented enabled even an unskilful slave to cleanse a thousand pounds of cotton of its tenacious seed in a single day. Without it he had been able to cleanse but five or six pounds. The negro could endure the heat of the southern day in the open field as the white man could not. His labor had become the very sinews of the South.

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Southern men had seen already what the system must cost them. Its mere existence meant that the North must outstrip them in population and in wealth apportioned from decade to decade, to correspond with the changes disclosed by the decennial census, her representation in the lower house of Congress must grow smaller and smaller, that of the northern States larger and larger, until she should be overwhelmed in matters of legislation by a governing majority which could neglect her peculiar interests at pleasure. Southern men did not doubt that such a majority would be used against the South. Their leaders felt sensibly enough the subtle antagonisms which radically different social standards, radically different economic conditions, radically different interests and ways of thought made more and more intense from year to year. Here was already, they began to see, a nation of two disparate halves, whose interests, if indeed irreconcilable, as they seemed, must be kept at a nice balance over against each other—a balance hazardous to maintain, fatal to give up.

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This was the unpleasant light that shone upon the question of Missouri's admission to the Union with a slave constitution. What division was to be made of the Louisiana territory as between the southern system, and the northern? East of the Mississippi all was plotted out and settled that concerned this vexatious matter. The line of the Ohio, it had been agreed, should mark the cleavage between free States and slave. Mississippi and Alabama had offset Illinois and Indiana in the list of States created this side the Louisiana purchase. If the Senate was not to pass, like the House, entirely into the hands of a northern majority, there must be some similar division of the Louisiana country also, which stretched beyond the river, wide as the original domain of the Union. The case of Missouri must turn upon fundamental questions of interest, development, and political power.

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For two years it hung doubtful, held in debate both within and without the houses of Congress; and it was settled at last only by compromise. It was agreed that Missouri should be admitted upon her own terms, with slavery sanctioned in her fundamental law, but that from all the rest of the Louisiana purchase lying north of latitude 36° 30',—a line drawn beyond Missouri as if straight into the west from the mouth of the Ohio,—slavery should be forever excluded, as it was from the Northwest Territory; and Missouri was with that understanding authorized (March 3, 1820) to organize a state government with slavery in its constitution. At the same time a bill was passed admitting Maine, in far New England, into the Union, as a counterpoise to the new slave State in the West. For a time the troublesome question was quieted; but many a sinister token of agitation and change had been brought to light in the long processes of debate. A sense of divided interests, sectional antagonisms, bitter personal feeling on the one side and on the other, a consciousness that fundamental contrasts and diversities of principle underlay the apparent agreement, wrought very seriously upon the minds of thoughtful men and could not soon or easily be thrown off.

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Meanwhile other events pushed steadily forward the process of expansion and growth which was inevitably to hasten the solution of that and every other question of interest or of power. In 1810 Mr. Madison had taken possession of West Florida, the strip of coast which lay upon the Gulf between the Mississippi and the river Perdido, with its key at Mobile: upon the pretext that it was in fact part of the original territory of Louisiana, and had become the property of the United States by the cession of 1803. For seven years after that cession it had remained in the hands of the Spaniards, who considered it an integral part of Florida, in no way affected by Napoleon's sale of Louisiana to the United States. But settlers had crowded in from the States. Their self-assertion and independence of action there and their manifest determination to be quit as soon as possible of Spanish rule had thrown affairs into confusion; and Mr. Madison made their interests his excuse for interfering. It was April, 1813, before the Spanish garrison at Mobile suffered itself to be crowded out and relinquished its post; but Congress had not waited for it to go. It had already apportioned the territory (1812), in part to the new State of Louisiana, that year created and admitted to the Union, in part to the Territory of Mississippi. Spain was in no position to resist. Napoleon's armies had overrun her; she had become the battlefield upon which Wellington pitted himself against the marshals of France (1811-1812); her South American colonies had revolted against her and she was powerless to recover them; she could do nothing while Napoleon swept Europe with his power.

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The government of the United States pushed its claims upon that frontier accordingly, at every opportunity, and found opportunities enough in the disorders of the ill-governed province. Early in 1811 Congress had not scrupled to authorize the President to take "temporary possession" of East as well as of West Florida, by a couple of resolutions which were not made public until 1818; and only the President's good principle in the matter had prevented additional acts of aggression and virtual conquest. Finally war with the restless, marauding Seminoles who were still upon the border (1818) brought the inevitable outcome. Andrew Jackson was in command at Mobile. When once in the field against the red men he would not stop because they crossed the frontier into Spanish Florida, but followed them over the border as he would have followed them anywhither, with a vigor that never hesitated or relented. Suspecting the Spaniards at St. Marks and Pensacola of giving shelter and encouragement to the Indians, he incontinently seized both places until he should have reported his business finished and learned what his government wished to have done with them. Deeming Alexander Arbuthnot, a Scots trader whom he found there in the Indian country, and Robert Ambrister, an English ex-lieutenant of marines who could not give a satisfactory account of himself, to all intents and purposes "outlaws and pirates," paid emissaries of the English government to keep trouble brewing for the United States among the Indians of Florida, he hanged the one and shot the other out of hand, British subjects though they were and within the territory of Spain. He had understood his real errand to be the virtual conquest of East Florida, time out of mind the refuge of smugglers, runaway slaves, and broken and hostile tribes of Indians, and in time of war a constant menace to all the southern border because of the weakness or the imfriendly alliances of Spain.

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Mr. Monroe and his cabinet were greatly shocked to learn what he had done in his headstrong masterfulness, and promptly restored Pensacola and St. Marks to the Spanish authorities; they saw nothing for it, however, so long as affairs stood as they did upon the border, but to defend their general's course for the rest, upon the ground that he had only pursued his Indian foes to their habitual refuge amidst the forests of the peninsula, and performed in Spain's stead the indispensable duties of police in districts infinitely disturbed and an undoubted menace to every neighbor. The Spanish government, on its part, saw clearly enough how defenseless and how useless Florida was, thus cornered and detached by the spreading power of the United States throughout the continent. On February 22, 1819, therefore, the Spanish minister in Washington, acting under new instructions from his government, signed a treaty by which Florida was ceded entire to the United States, in consideration of the payment by the United States of five million dollars in satisfaction of all claims, and the relinquishment by the United States of all right to the Texas country where their title to possession was much better than it had ever been in any part of Florida. The Senate confirmed the treaty at once; the Spanish government tardily returned its ratification within a couple of years (February, 1821); and the questionable business was at an end.

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Both Mr. Madison and Mr. Monroe addressed themselves very diligently, the war of 1812 being over and all the world having come into a breathing time of peace, to clearing all foreign complications away. In 1815 Mr. Monroe, being then himself Secretary of State, had arranged with Great Britain a tolerably satisfactory commercial convention, which opened at any rate a part of the trade of the British West Indies to American ships. The same year the Dey of Algiers, who had taken advantage of the war to prey upon the commerce of the United States, was obliged upon Commodore Decatur's quarterdeck to sign a treaty of peace and amity which he was not likely soon to break, having read his lesson at the port-holes of a formidable fleet in his harbor. In 1818 Mr. John Quincy Adams, acting under Mr. Monroe, negotiated fresh treaties with England under which the United States gained permanent rights in the Canadian fisheries, Great Britain gave up her claims to the navigation of the Mississippi, and the northern boundary line of the United States was determined from the Lake of the Woods to the Oregon country.

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Fair skies at home and abroad cheered the country ere the time for choosing presidential electors came round again, in the autumn of 1820, foreign difficulties having cleared away and the ill-omened Missouri question being apparently settled; and Mr. Monroe's re-election was agreed upon as of course. When the electors met in their several States to vote only a single one of their number, an elector of New Hampshire, indulged himself in an individual choice, voting, not for Mr. Monroe, but for Mr. John Quincy Adams. Every other vote was cast for Mr. Monroe. Even eight Federalist electors, chosen, along with seven Republicans, in Massachusetts, joined in the all but unanimous choice; and the election passed as if it were hardly more than an incident, a formality, at mid-term of the President's eight years of office.

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There was no longer any Federalist party to be reckoned with in the field of national politics. Though Federalist views persisted, the name was a name discredited. The manufacturers of New England had been won over to the Republican party by the tariff of 1816; and had not cooled towards it because the Senate rejected the still higher duties which Mr. Monroe had recommended and the House had adopted. The rich merchants at the eastern ports did not like the tariff, but did like the President and the treaties of commerce and of peace he had secured. He had declared himself opposed to "internal improvements" at the national expense, upon which, progressive men thought, the movements and the expansion of commerce must in no small degree depend; and in 1822, when Congress put him to the test, he vetoed even an appropriation for the Cumberland road; but he presently modified his views on that point, and, for the rest, held so steady and reasonable and open a course, and was upon occasion so spirited in defending the nation's interests, that criticism gathered no head against him. Politicians schemed for personal advantage behind the scenes, not forgetting the next presidential election. Now one group and again another essayed to gain control of affairs. To those who read very curiously the signs of the times new parties seemed to be perceptibly enough outlined just beneath the surface of events. But on the surface there was a great calm, and to the country at large it seemed an acceptable time of concord, an "era of good feeling." The strain of politics was eased.

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With the return of peace all questions had become domestic questions, and there seemed now, for the nonce, to be no serious differences of opinion concerning them. Mr. Monroe took an early opportunity to domesticate, as it were, the very foreign policy of the government, by confining its issues to the Americas. European statesmen were putting their houses in order after the convulsions of the Napoleonic wars: setting up thrones which had been overturned, rehabilitating states which had been torn asunder, reassigning territory, establishing once more the balance of power and the rights of shaken dynasties. Finding their careful work likely to be marred and rendered of no avail by the passion for liberty which had spread like an unquenchable fire out of France and touched the subjects of almost every sovereign of Europe, they drew their states together under the leadership of Austria and her consummate Metternich to crush every rising, silence every demand for liberal reform, and make good the jeoparded absolutism of their kings throughout the length and breadth of Europe. Their reactionary purposes having been accomplished with some touch of thoroughness on the continent itself, Spain prayed them to assist her to win the revolted colonies of South America back to her crown, and they seemed about to accede to her prayer.

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Mr. Canning, England's watchful minister, saw at once the peril there would be in that to England's trade in the south. He knew, too, how hearty a sympathy the people of the United States entertained for the newly liberated peoples and the newly established republics of the southern continent of America, and how profitable a trade American as well as English merchants were finding in the ports which only revolution could have opened to them. He proposed, therefore, to Mr. Rush, the American minister in London, that the United States should join with England in protesting against the attempt of any outside power to restore Spain's authority in America. Mr. Adams, the Secretary of State, did not relish the suggestion, though he approved the object. He thought such a course too likely to make the United States merely "a cock-boat in the wake of the British man-of-war," and so draw them again and at a disadvantage into European politics; and Mr. Monroe accepted his view in the matter. A different but no less effective step was taken. In 1822 the President had recognized the independence of the South American republics. In his annual message of December, 1823, he told Congress and the world what attitude he meant to take towards any attempt on the part of the European powers "to extend their system to any portion of this hemisphere." He should deem such an act, he declared, dangerous to the peace and safety of the United States. "With the existing colonies or dependencies of any European power," he said, "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." No one could mistake the meaning of the words, and Spain's plans In the south were given up. This Mr. Adams and Mr. Monroe meant to be American, not European, policy.

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What had made the matter seem the more exigent and important was the unpleasant fact that Russia was gaining a foothold in North America itself. Russian fur traders were pushing and extending their trade not only in Alaska, which the Russian government claimed by right of discovery (1741), by also along the coasts to the southward, nearer and nearer to Oregon, which England and the United States, suspending their rival claims for the present, had agreed (1818) to occupy in common. The Czar claimed all the coast waters of the region as his own, and forbade seamen of any other nation (1821) to approach within one hundred miles of the American coast north of the fifty-first parallel. Mr. Adams had feared that, should the European coalition of which the Czar was so influential a member interfere in the affairs of Spain at the south, Russia might take the Spanish province of California as compensation for her trouble, and shut the doors of the Pacific once for all against the expanding Union. Monroe, therefore, spoke very plainly upon that point also in his message. "The American continents," he said, "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." These decisive words proved sufficient. Whatever may have been Russia's plans, she did not care to force them now; and in the closing months of Mr. Monroe's administration (April, 1824) she agreed to a treaty in which it was stipulated that the fisheries and the navigation of the Pacific were to be open to both parties, and that the line 54° 40', north latitude, should divide their future settlements. The next year she made a similar agreement with Great Britain.

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In 1824 Congress passed and the President approved a bill increasing duties on metals and on wool and hemp, in order that the protective system might be a little strengthened; and a bill providing for extensive surveys for a national system of canals, in order that all adequate improvement of the means of trade and intercourse might accompany the quickening of industry.

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And then, amidst a general scramble for the presidency, the country found how deceptive had been the political calm of the last few years. Personal rivalries disclosed, almost of a sudden, a new cleavage of parties. It was natural that Mr. Adams, as Secretary of State, should expect the succession to the presidency. Mr. Madison had been Secretary of State under Mr. Jefferson, Mr. Monroe under Mr. Madison: the Secretaryship of State had come to be looked upon as the post to which the natural successor of the President should be called, and twenty-four years had given that understanding the dignity of precedent. Mr. Crawford, the Secretary of the Treasury, however, was determined that he should not again be passed by in the choice, and took pains to make himself, so far as might be, the official nominee of his party through the accustomed congressional caucus. Only a handful of his personal followers, indeed, and of the better disciplined adherents to old practice attended the caucus when it met: the country had already grown impatient of that method of naming candidates, and Mr. Adams was understood, despite the caucus, to be the real candidate of the older elements of the party,—if party there was where all acted as if with common principles. The legislatures of Kentucky, Louisiana, Missouri, Illinois, and Ohio, the field being open, took leave to nominate Mr. Clay, the popular Speaker and acknowledged leader of the House, through whose eloquent tongue the new West rejoiced to hear itself given utterance. The legislature of Tennessee and several conventions in various parts of the country nominated Andrew Jackson, the headstrong, redoubtable Tennesseean soldier, now, though almost unnoticed there, a member of the Senate.

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The nomination of General Jackson could very well be ignored, it seemed at first, as a mere rally of his personal friends here and there, so much of an outsider did he seen, in every circle of politicians. "He is respected as a gallant soldier," said the chief political newspaper of New York, "but he stands, in the minds of the people of this State, at an immeasurable distance from the executive chair." The vote of the electors, however, put a very different color on the matter. It stood, for General Jackson, ninety-nine; for Mr. Adams, eighty-four; for Mr. Crawford, forty-one; for Mr. Clay, thirty-seven. Over the vice presidency there had been little contest: Mr. Calhoun was chosen, as had been expected, by a handsome majority. No one having received a majority of the votes for President, the election went, as the constitution provided, to the House, whose choice was limited to the three candidates who stood highest in the electors' list. Voting by States as was prescribed, the House chose Mr. Adams, to whom Mr. Clay's friends gave their support.

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There was in this sharp and doubtful struggle for the presidency, with its closing appeal to the managing politicians of the House, just shock enough, just thrill and zest enough of direct challenge and open contest, to bring the hidden lines of party to the surface. The four years of Mr. Adams's administration completed their disclosure, and changed the whole face of politics. The new President was undeniably the choice of a minority of the nation. He seemed to the impatient men of the new generation to be holding the government arbitrarily back from the touch of renewal and of democratization which they were eagerly waiting to give it. Mr. Adams seemed to them to represent the traditions of the old order which had passed, and to be a mere obstacle to the acknowledgment of the new order which had come. His very stiffness and precision of manner, as of the old school; his cool, unsympathetic aloofness from the men about him, repelling intimacy or any warm confidence; the dash of acid in his careful rectitude; his whole attitude, as of a man who administered this great office as a purely personal trust, for which he alone was responsible, and kept all others at arm's length, enhanced the impression of his separateness, his single survival out of an age gone by. John Adams, his father, and Thomas Jefferson, whom he had first opposed and then followed, died the next year after he came to the presidency, passing away together on the fiftieth anniversary of the Declaration of Independence (July 4, 1826), the last great figures of the nation's first generation of statesmen. The President seemed to have their principles without their warmth, to stand older than this years amidst a scene transformed.

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Social changes had come upon the nation thick and fast with the passing away of that first age, in which the government had been set up and had received its life and structure, and radical political changes had inevitably followed in their train. In the gathering host of new States at the west there could be nothing but levels of privilege: no special class, trained and preferred for government, as in New England and the South, but universal manhood suffrage; and the example of the West had reacted powerfully upon the East. There, too, social change was touching affairs with the touch of transformation. Airs blew everywhere out of the West. Because its lands were open and not too far away, and every man could betake himself thither if he chose and be his own master, those who stayed at home in the East, whether common or gentle, had the flavor of independence, the choice of individual initiative in their lives, and counted, not in the mass merely but as efficient units in every reckoning, social or political. New industries raised new classes, to rank with the merchants and the lawyers of the older order. The quick, incessant initiative of individuals broke the lines between class and class so often athwart that they became at last confused and lost. The suffrage was inevetably widened in the East, as in the West; and with the number of voters the number of those who played a managing and organizing and originative part in politics also increased. Every right, as far as might be every function of politics, was thrown open to every man. Nine out of the fifteen States which took part in the second election of General Washington chose their electors through their legislatures; only six gave the people any direct part in the choice. In the election just decided by the vote of the House, on the contrary, the electors had been chosen by the direct vote of the people in eighteen out of the twenty-four States of the Union. Before another presidential election came around every State except Delaware and South Carolina had adopted the same popular system.

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It was the pulse of these changes that now beat in affairs. A new democracy stood eager for its triumph,—now a second time, as first in 1800. It was tired of the "Virginian dynasty" that had ruled it, as if by prescriptive privilege, since the century opened, and was infinitely impatient of Mr. Adams as its heir and successor. Mr. Clay had seemed for a little while the preferred spokesman of the new generation, a veritable voice of the West and of democracy upon a new field, uttering its hearty ardor for a policy at once continental and of the people. The new State of Missouri had added Mr. Thomas H. Benton to the roll of Senators, to put his mass also into the western scale, a new leader among Democrats. But Mr. Clay lacked the unhesitating boldness and audacity loved on the frontier; had the address of the careful politician; brought his free and telling eloquence to the service of old ideals, merely quickened by new affairs; was not wholly of the West. Mr. Benton was heavy with a touch of pedantry, and had the self-assertion of the egotist, not of the leader. The new impulse of the time craved a hero rather than a statesman. No one knew or asked General Jackson's opinions. His friends put him forward, not as a thinker or even as an organizer of parties, but simply as a man, whom the nation could trust: a man with rugged strength enough to break the old order in politics, now grown artificial, and inaugurate and, under which the people, whose child and type he was, should come to their own.

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That was the significance of the ninety-nine electoral votes cast for General Jackson in 1825. It was a bitter thing to bear, his supporters found, to see Mr. Adams preferred before him, and Mr. Clay's support given, out of the West itself, to the candidate of an eastern minority, so bitter that they protested in their anger against the constitution itself, which made the thing possible: against any law, though it were the fundamental law of the land, which could thus restrain and defeat "the will of the people." Their bitterness turned to malice when Mr. Adams asked Mr. Clay to become Secretary of State under the new administration and Mr. Clay consented. There was here, they said, palpable evidence of a bargain, all office given for an office received, a self-seeking combination to keep the people's candidate out,—a coalition," exclaimed John Randolph, with bitter jest, "unheard of until now, of the Puritan and the blackleg." The charge was shown to be absolutely groundless. There had been no previous understanding whatever between Mr. Adams and Mr. Clay. But they were facing men who in the vehemence of their passion believed what they chose, and whose leader was as implacable and as obstinate in error as he was honest and direct in action.

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General Jackson had been bred by the rough processes of the frontier; had been his own schoolmaster and tutor; had made himself a lawyer by putting his untaught sagacity and sense of right to the test in the actual conduct of suits in court, as he had made himself a soldier by taking the field in command of frontier volunteers as unschooled as himself in discipline and tactics. There was a certain natural grace and sweetness in the man when he was at ease, and an impressive dignity always. "General Jackson's manners are more presidential than those of any of the candidates," wrote a leading member of the House who was his opponent. "He is grave, mild, and reserved. My wife is for him decidedly." But his nature was compact of passion. His prejudices, once fixed, were in eradicable. He believed with all the terrible force that was in him, when once engaged in any public matter, that those who were with him were his friends and the country's, those who were against him enemies of the country as well as of himself. Knowing his own convictions to be honest and formed without selfishness, he took their wisdom and their reasonableness for granted, and believed every one who held opinions opposed to them to be moved by some sort of public or private malice. He had declined at first to let his name be used in connection with the presidency, deeming himself old at fifty-four (1821), feeling ill from the effects of the hardships he had undergone in Florida, and believing himself unfit for the office. But, candidacy once undertaken, his passion played along every line of emotion and conviction opened by the novel business, as if he were again in the field with troops, and his friends were themselves at a loss how to govern him.

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It had needed such a striking personality as this to bring parties to a head. They took form rapidly enough when he came upon the field. The coalition between Mr. Adams and Mr. Clay had been not only incorrupt, but an arrangement to be looked for in the nature of things. Mr. Clay stood in all his thought for the same principles of liberal construction in applying the constitution and for the same purposes of legislative action in furthering national interests that Mr. Adams frankly avowed and earnestly advocated: protective tariffs, internal improvements; the deliberate building up and binding together of the nation. General Jackson's friends, on the contrary, were found for the most part among the men who had reacted against this new programme, in which every principle and purpose of the old Federalists seemed revived, and who were harking back to the principles upon which the Republican party of Mr. Jefferson had been founded: a scrupulous limitation of the powers of the federal government, a studious regard for the separate powers of the several States, a democratic diffusion of power throughout the body politic. Mr. Crawford had latterly been of these principles; but Mr. Crawford was now broken in health, and his followers had turned to General Jackson. Whether General Jackson definitely or consciously held their views or not they did not stop to ask. What was of moment to them was, that he stood in the eyes of the whole nation an unmistakable type of the unsophisticated man of the people. His instincts, they felt sure, could be trusted to make and keep him a partisan of popular privilege and local self government. And so parties formed: National Republicans, as they began to call themselves, turned to Mr. Clay and Mr. Adams for leadership, while all "Democrats" of the older type turned to those who pressed the candidacy of General Jackson.

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Though the men who thus drew apart into the one group or the other did not at once recognize their new comradeships in affairs as the permanent comradeships of principle or feel at first the bonds of party in their new association, it soon became evident enough that the election of 1825 had marked a parting of the ways, at which, consciously or unconsciously, public men had made their individual choices upon principles which must henceforth permanently separate them; had arrayed themselves in opposite camps upon a set field of party contest. They awaited only Mr. Adams's going out to put the fight afoot.

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The four years Mr. Adams was President yielded, accordingly, scarcely a single important measure either of legislation or of policy. They proved to be a season between times, in which the new parties got their first drill and organization, and merely maneuvred for advantage in the final struggle, the decisive victory and defeat, to come. Hitherto the President had been always the real leader of the government. His messages had in no small degree constituted the programmes of party action, in Congress hardly less than in executive policy. Now, of a sudden, they counted almost for nothing. Mr. Adams was treated as if he were the leader of a faction. Congress seldom vouchsafed so much as a respectful consideration to his suggestions. Fresh congressional elections filled the House with his opponents. Now and again a measure passed which the Administration was known to favor; but only, it seemed, because the discipline of parties was not yet recast, and some men were guided, when they chose to be, by old ties or individual preferences.

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Mr. Adams performed his duties with the diligence, the intelligence, the high-minded regard for principle that had always characterized him. No man of his generation was better acquainted than he with the field of foreign policy, still here and there perplexed and ominous; and he applied himself like a statesman to the settlement of every question that was likely to affect either the trade or the peace of the country. His successful treaties of commerce nearly equalled in number those of all the preceding Administrations put together. But in the chief matter of all he failed, and his opponents noted that alone. In 1815 Mr. Monroe, then Secretary of State, had succeeded in obtaining from England the right of trade with the British West Indies, in which, the ports once open, American merchants and skippers easily gained a virtual monopoly; but in 1825, when that agreement lapsed, England changed her policy, opened the West Indian ports to all the world on terms which put the United States at a disadvantage, and, because the United States did not, within a year set, accept the new arrangement, flatly refused so much as to open the matter again for negotiation (1826). Congress, not Mr. Adams, had been at fault; but the country, indifferent to him at best, made no inquiry into details: remembered only that he had failed to secure the invaluable West Indian trade.

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The party contests of those barren years of divided counsel turned chiefly upon the tariff and upon the question of internal improvements. Mr. Adams was an avowed advocate of internal improvements upon a national scale, conceived and carried forward in accordance with a comprehensive system thought out beforehand, and completed from session to session as the resources of the Treasury permitted,—such a scheme as Mr. Gallatin had long ago conceived and advocated and Mr. Jefferson had postponed till the constitution could be amended. But the new "Democrats" made that impossible. Money in very liberal sums was voted from time to time for specific works of general or local utility, but the idea of a system of national improvements undertaken by the federal government had to be given up.

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The tariff was another matter. The systematic protection of domestic industries, once undertaken, could net be kept squared with its object or maintained in good repair without frequent alterations and adjustments. The very system itself, moreover, was an incitement to every industry in the country, new or old, to clamor lustily, in season and out of season, for its share in the gainful arrangement. There was no one to govern the competition. First, interest vied with interest in an open field; then, rather than destroy each other, interests combined in an ill-assorted muster, whose demands the committees of Congress could neither reconcile nor withstand. The result was the tariff of 1828. In July, 1827, a convention of protectionists had been held at Harrisburg, upon the initiative and invitation of the Pennsylvania Society for the Promotion of Manufactures and the Mechanic Arts. It had been called in the interest of the wool growers and manufacturers, but the politic general invitation by which it had been made up had bidden every other industry that chose send its delegates also. Many came who recked nothing of wool; and every industry represented put its own demands into the petition which the convention addressed to Congress. Congress, responding to the petition, put into its bills a like incongruous miscellany of provisions,—protection for all who asked it. The opponents of the tariff tried the too subtile game of discrediting the threatened legislation by thickening at every point its confusion of contradictory items; heightening in every possible way its absurdities and inconsistencies. They especially counted on forcing the New England manufacturers to vote against it by filling it with provisions which increased the cost of their raw materials. But the game was too subtile and failed. The New England members hardily voted for the measure as it stood,—the Tariff of Abominations." It passed both houses, Mr. Adams signed it, and it became law.

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For the southern men that was a day of awakening. Only a trifle here and there could come to them in this reckless distribution of favors. They were obliged in any case to content themselves with the agricultural system to which slave labor shut them ill. Their prosperity depended, therefore, most of all, upon the free movement of trade: particularly upon a free and normal market for their cotton. Tariff measures which strangled trade at their ports put them at a distressing disadvantage. They got no more for their cotton than before: got less and less, indeed, as the crop increased; and yet they paid more for almost everything they bought. And what did they not buy? Each successive increase of duties seemed a heavier blow than the last to them, and even Mr. Calhoun put himself forward to stop the mischief. Many a southerner, many a South Carolinian, in Congress and out, had cried sharp warning ere he heeded. He yielded at last rather to the compulsion of opinion in his own State than to his individual observation and conviction in the matter, so thoroughly national were his instincts, so clear and imperative hitherto had been his bent towards a statesmanship which should take the whole country into its view. But his mind once engaged, and his passion for the interests of the people he served, and he seemed of a sudden the leader, almost the originator, of sectional opposition.

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Assuredly, though a section, the South was making contributions to the wealth and commerce of the country which entitled her spokesmen to a hearing. The total value of the exports from the United States in 1829 was $55,700,193, and to this total the southern States contributed no less than $34,072,655, in cotton, tobacco, and rice,—very nearly three-fifths of the whole. The total value of agricultural exports for the entire Union was $44,000,000. Of that total three-fourths came from the South. The value of manufactured articles exported footed up but $6,000,000, all told. The value of the cotton alone that went out at the ports was $26,575,311. And South Carolina was entitled to speak for her sister States. Her exports in 1829 were valued at $8,175,586. Only Louisiana in the South and New York and Massachusetts in the North showed a larger total.

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It was the scope and precision of his mind that gave Mr. Calhoun his instant preemanence. He based his opposition directly upon the constitution itself, as his friends in South Carolina had done; but the argument in his hands seemed new because he made it so striking; seemed radical because he made it cut with so keen an edge of logic. It was, in fact, the old argument of the Virginia and Kentucky Resolutions, made but a little more definite, pushed but another step towards practical application. The southern States, Mr. Calhoun pointed out, were set apart from the rest of the Union, and, so far as any man could see, permanently set apart, by reason of their "soil, climate, habits, and peculiar labor," to be "staple States," without diversification of industry. In matters of commercial policy their interests could never be wholly coincident with those of the rest of the country, and if Congress suffered their interests, which did not change, to be sacrificed to the interests of the rest of the country, which shifted and were new with each generation, their case would be intolerable, and the understandings of the federal arrangement clearly set, at naught. Was it not, in truth, the right of States put thus at a fatal disadvantage In respect of their very means of subsistence to have recourse once again to the ultimate authority under- lying the whole structure of the government? Must they not in such a peril take their defence into their own hands, and declare the statutes under which they suffered null and without effect within their borders until a convention of the States should once more have considered the fundamental law and its meanings? Should three-fourths of the States, upon the recommendation of such a convention, declare the power complained of to be constitutional, protest must end, or revolution begin: but no other power could righteously force States protesting thus of their fundamental rights to be still and submit.

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Feeling had at length come to such a pitch in South Carolina that her leaders were constrained to speak very boldly in this matter; and this was Mr. Calhoun's exposition of her rights, undertaken at their urgent request. He had not acted upon his own initiative. His own thought was still of the nation as a whole and of local interests reconciled, not set against each other in rivalry and antagonism. He had yielded to the views of his friends at home, where passion was astir. Men whom he trusted came to him to be their spokesman in a matter which seemed to them to touch the very life of the State,—to be their spokesman, not in passion, but in the grave argument of rights. Unquestionably the most fundamental material interests of the State seemed to be at stake; unquestionably his own settled view of the nature of the federal arrangement and the reserved rights of the States furnished a formidable weapon against the tariff of abominations. He turned from his dreams of national development to vindicate the interests of his neighbors and constituents, and, turning, put his strength into the new task as heartily as he had put it into the old. The manifesto, the "South Carolina Exposition," which he put forth rang as clear as any call to party battle could have run!, and his friends had the spokesman they had coveted.

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It was a document written with the full passion of his mind. Lover of the Union though he was, he conceived this to be its just and pristine model: a body of States sovereign in all that they had not deliberately relinquished for the sake of union; protected in the sovereignty which they retained, against the federal government no less than against one another, by inherent, inalienable rights never surrendered, never impaired. These rights, inherent and unrelinquished, he conceived to be as much a part of the constitution as the powers transferred to the federal government. It was to these he would have recourse in time of crisis, not to the crude right of revolution. He would save the Union by an appeal to its ultimate principle: the deliberate concert of sovereign States. In this case of the tariff he hoped that a mere assertion of the constitutional right to a radical remedy would suffice. He had set himself, he believed, to keep the Union pure, not to destroy it. The government was about to change hands. It was evident to all observant men, in the summer of 1828, while he wrote, that General Jackson was to be the next President, and that the government was to pass out of the hands of the party that stood for high tariffs and an aggressive use of federal power into the hands of the new Democrats, who professed doctrines of strict construction and purposes of moderate action in the use of constitutional authority. South Carolina could afford to wait for the change. In December the legislature of the State adopted Mr. Calhoun's exposition as its own declaration of rights and put it forth as South Carolina's official creed and earnest of policy; but it, too, waited for General Jackson and a propitious change of temper in Congress, and took no step towards action.

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Already presidential electors had been chosen (November, 1828), and it was known that General Jackson commanded a large majority of their votes. In due course their votes were formally cast, and were found to be, when counted (February, 1829), one hundred and seventy-eight for General Jackson, eighty-three for Mr. Adams. Mr. Calhoun, who had transferred his allegiance from Mr. Adams to General Jackson, was re-elected Vice President. In every State except South Carolina and Delaware the electors had been chosen by popular vote: 647,276 of the people's votes had been cast for General Jackson, 508,064 for Mr. Adams. For four years the astute and active men who had constituted themselves General Jackson's managers had been preparing this triumph. Even men whom Mr. Adams kept in high office had openly assisted them, Mr. Adams, so punctiliously did he judge of his duty in the matter, leaving then, unmolested so long as they performed their official tasks with faithfulness and propriety. Their plans had covered the whole Union. Ever since October, 1825, before Mr. Adams had met his first Congress as President, legislatures and assemblies of every sort had been nominating General Jackson for the presidency, one after the other, in a succession that did not flag. Now they were satisfied. They had had their revenge for the defeat of 1824, and had put their idolized man of the people in.

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APPENDIX

TREATY OF PEACE—1783.

DEFINITITE TREATY OF PEACE BETWEEN THE UNITED

STATES OF AMERICA AND HIS BRITANNIC MAJESTY. CONCLUDED SEPTEMBER 3, 1783.

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In the name of the Most Holy and Undivided Trinity.

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It having pleased the Divine Providence to dispose the heart of the Most serene and most potent Prince George the Third, by the Grace of God King of Great Britain, France and Ireland, Defender of the Faith, Duke of Brunswick and Luneburg, Arch-Treasurer and Prince Elector of the Holy Roman Empire, &ca., and of the United States of America, to forget all past misunderstandings and differences that have unhappily interrupted the good correspondence and friendship which they mutually wish to restore; and to establish such a beneficial and satisfactory intercourse between the two countries, upon the ground of reciprocal advantages and mutual convenience, as may promote and secure to both perpetual ppeace and harmony: And having for this desirable end already laid the foundation of peace and reconciliation, by the provisional articles, signed at Paris on the 30th of Nov'r, 1782, by the commissioners empowered on each part, which articles were agreed to be inserted in and to constitute the treaty of peace proposed to be concluded between the Crown of Great Britain and the said United States, but which treaty was not to be concluded until terms of peace should be agreed upon between Great Britain and France, and His Britannic Majesty should be ready to conclude such treaty accordingly; and the treaty between Great Britain and France having since been concluded, His Britannic Majesty and the United States of America, in order to carry into full effect the provisional articles above mentioned, according to the tenor thereof, have constituted and appointed, that is to say, His Britannic Majesty on his part, David Hartley, esqr., member of the Parliament of Great Britain; and the said United States on their part, John Adams, esqr., late a commissioner of the United States of America at the Court of Versailles, late Delegate in Congress from the State of Massachusetts, and chief justice of the said State, and Minister Plenipotentiary of the said United States to their High Mightinesses the States General of the United Netherlands; Benjamin Franklin, esq're, late Delegate in Congress, from the State of Pennsylvania, president of the convention of the said State, and Minister Plenipotentiary from the United States of America at the Court of Versailles; John Jay, esq're, late president of Congress, and chief justice of the State of

New York, and Minister Plenipotentiary from the said United States at the Court of Madrid, to be the Plenipotentiaries for the concluding and signing the present definitive treaty; who, after having reciprocally communicated their respective full powers, have agreed upon and confirmed the following articles:

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ARTICLE I.

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HIS Britannic Majesty acknowledges the said United States, viz. New Hampshire, Massachusetts Bay, Rhode Island, and Providence Plantations, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina, and Georgia, to be free, sovereign and independent States; that he treats with them as such, and for himself, his heirs and successors, relinquishes all claims to the Government, proprietary and territorial rights of the same, and every part thereof.

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ARTICLE II.

AND that all disputes which might arise in future, on the subject of the boundaries of the United States may be prevented, it is hereby agreed and declared, that the following are, and shall be their boundaries, viz: From the north-west angle of Nova Scotia, viz. that angle which is formed by a line drawn due north from the source of Saint Croix River to the Highlands; along the said Highlands which divide those rivers that empty themselves into the river St. Lawrence, from those which fall into the Atlantic Ocean, to the northwestern most head of Connecticut River; thence down along the middle of that river, to the forty-fifth degree of north latitude; from thence, by a line due west on the said latitude, until it strikes the river Iroquois or Cataraquy; thence along the middle of said river into Lake Ontario, through the middle of said lake until it strikes the communication by water between that lake and Lake Erie; thence along the middle of said communication into Lake Erie, through the middle of said lake until it arrives at the water communication between that lake and Lake Huron; thence along the middle of said water communication into the Lake Huron; thence through the middle of said lake to the water communication between that lake and Lake Superior; thence through Lake Superior northward of the Isles Royal and Philipeaux, to the Long Lake; thence through the middle of said Long Lake, and the water communication between it and the Lake of the Woods, to the said Lake of the Woods; thence through the said lake to the most northwestern point thereof, and from thence on a due west course to the river Mississippi; thence by a line to be drawn along the middle of the said river Mississippi until it shall intersect the northernmost part of the thirty-first degree of north latitude. South, by a line to be drawn due east from the determination of the line last mentioned, in the latitude of thirty-one degrees north of the Equator, to the middle of the river Apalachicola or Catahouche; thence along the middle thereof to its junction with the Flint River; thence strait to the head of St. Mary's River; and thence down along the middle of St. Mary's River to the Atlantic Ocean. East, by a line to be drawn along the middle of the river St. Croix, from its mouth in the Bay of Fundy to its source, and from its source directly north to the aforesaid Highlands, which divide the rivers that fall into the Atlantic Ocean from those which fall into the river St. Lawrence; comprehending all islands within twenty leagues of any part of the shores of the United States, and lying between lines to be drawn due east from the points where the aforesaid boundaries between Nova Scotia on the one part, and East Florida on the other, shall respectively touch the Bay of Fundy and the Atlantic Ocean; excepting such islands as now are, or heretofore have been, within the limits of the said province of Nova Scotia.

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ARTICLE III.

IT is agreed that the people of the United States shall continue to enjoy unmolested the right to take fish of every kind on the Grand Bank, and on all the other banks of Newfoundland; also in the Gulf of Saint Lawrence, and at all other places in the sea where the inhabitants of both countries used at any time heretofore to fish. And also that the inhabitants of the United States shall have liberty to take fish of every kind on such part of the coast of New Foundland as British fishermen shall use (but not to dry or cure the same on that island) and also on the coasts, bays, and creeks of all other of His Britannic Majesty's dominions in America; and that the American fishermen shall have liberty to dry and cure fish in any of the unsettled bays, harbors, and creeks of Nova Scotia, Magdalen Islands, and Labrador, so long as the same shall remain unsettled; but so soon as the same or either of them shall be settled, it shall not be lawful for the said fishermen to dry or cure fish at such settlement, without a previous agreement for that purpose with the inhabitants, proprietors, or possessors of the ground.

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ARTICLE IV.

IT is agreed that creditors on either side shall meet with no lawful impediment to the recovery of the full value in sterling money, of all bona fide debts heretofore contracted.

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ARTICLE V.

IT is agreed that the Congress shall earnestly recommend it to the legislatures of the respective States, to provide for the restitution of all estates, rights, and properties which have been confiscated, belonging to real British subjects, and also of the estates, rights, and properties of persons resident in districts in the possession of His Majesty's arms, and who have not borne arms against the said United States. And that persons of any other description shall have free liberty to go to any part or parts of any of the thirteen United States, and therein to remain twelve months, unmolested in their endeavors to obtain the restitution of such of their estates, rights, and properties as may have been confiscated; and that Congress shall also earnestly recommended to the several States a reconsideration and revision of all acts or laws regarding the prelimises, so as to render the said laws or acts perfectly consistent, not only with justice and equity but with that spirit of conciliation which, on the return of the blessings of peace, should universally prevail. And that Congress shall also earnestly recommend to the several States, that the estates, rights, and properties of such last mentioned persons, shall be restored to the, they refunding to any persons who may be now if possess, the bona fide price (where any has been given) which such persons may have paid on purchasing any of the said lands, rights, or properties, since the coutiscation. And it is agreed, that all persons who have any interest in coutiscated lands, either by debts, marriage settlements, or otherwise, shall meet with no lawful inpediment in the prosecution of their just rights.

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ARTICLE VI.

THAT there shall be no future confiscations made, nor any prosecutions commenc'd, against any person or persons for, or by reason of the part which he or they may have taken in the present war; and that no person shall, on that account, suffer any future loss or damage, either in his person, liberty or property; and that those who may be in confinement on such charges, at the time of the ratification of the treaty in America, shall be immediately set at liberty, and the prosecutions so commenced be discontinued.

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ARTICLE VII.

THERE shall be a firm and perpetual peace between His Britannic Majesty and the said States, and between the subjects of the one and the citizens of the other, wherefore all hostilities, both by sea and land, shall from hence forth cease: All prisoners on both sides shall be set at liberty, and His Britannic Majesty shall, with all convenient speed, and without causing any destruction, or carrying away any negroes or other property of the American inhabitants, withdraw all his armies, garrisons, and fleets from the said United States, and from every port, place, and harbour within the same; leaving in all fortifications the American artillery that may be therein: And shall also order and cause all archives, records, deeds, and papers, belonging to any of the said States, or their citizens, which in the course of the war, may have fallen into the hands of his officers, to be forthwith restored and deliver 'd to the proper States and persons to whom they belong.

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ARTICLE VIII.

THE navigation of the river Mississippi, from its source to the ocean, shall forever remain free and open to the subjects of Great Britain, and the citizens of the United States.

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ARTICLE IX.

IN case it should so happen that any place or territory belonging to Great Britain or to the United States, should have been conquer'd by the arms of either from the other, before the arrival of the said provisional articles in America, it is agreed, that the same shall be restored without difficulty, and without requiring any compensation.

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ARTICLE X.

THE solemn ratifications of the present treaty, expedited in good and due form, shall be exchanged between the contracting parties, in the space of six months, or sooner if possible, to be computed from the day of the signature of the present treaty. In witness whereof, we the undersigned, their Ministers Plenipotentiary, have in their name and in virtue of our full powers, signed with our hands the present definitive treaty, and caused the seals of our arms to be affixed thereto.

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Done at Paris, this third day of September, in the year of our Lord one thousand seven hundred and eighty-three.

HARTLEY.[L. S.]

JOHN ADAMS.[L. S.]

B. FRANKLIN.[L. S.]

JOHN JAY.[L. S.]

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GOVERNMENT OF THE NORTHWEST TERRITORY

1787.

An Ordinance for the government of the territory of the

United States northwest of the river Ohio.

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SECTION 1. Be it ordained by the United States in Congress assembled, That the said Territory, for the purpose of temporary government, be one district, subject, however, to be divided into two districts, as future circumstances may, in the opinion of Congress, make it expedient.

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SEC. 2. Be it ordained by the authority aforesaid, That the estates both of resident and non-resident proprietors in the said territory, dying intestate, shall descend to, and be distributed among, their children and the descendants of a deceased child in equal parts, the descendants of a deceased child or grandchild to take the share of their deceased parent in equal parts among them; and where there shall be no children or descendants, then in equal parts to the next of kin, in equal degree; and among collaterals, the children of a deceased brother or sister of the intestate shall have, in equal parts among them, their deceased parent's share; and there shall, in no case, be a distinction between kindred of the whole and half blood; saving in all cases to the widow of the intestate, her third part of the real estate for life, and one-third part of the personal estate; and this law relative to descents and dower, shall remain in full force until altered by the legislature of the district. And until the governor and judges shall adopt laws as hereinafter mentioued, estates in the said territory may be devised or bequeathed by wills in writing, signed and sealed by him or her in whom the estate may be, (being of full age,) and attested by three witnesses; and real estates may be conveyed by lease and release, or bargain and sale, signed, sealed, and delivered by the person, being of full age, in whom the estate may be, and attested by two witnesses, provided such wills be duly proved, and such conveyances be acknowledged, or the execution thereof duly proved, and be recorded within one year after proper magistrates, courts, and registers, shall be appointed for that purpose; and personal property may be transferred by delivery, sailing, however, to the French and Canadian inhabitants, and other settlers of the Kaskaskies, Saint Vincents, and the neighboring villages, who have heretofore professed themselves citizens of Virginia, their laws and cilstons now in force among them, relative to the descent and conveyance of property.

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SEC. 3. Be it ordained by the authority aforesaid, That there shall be appointed, from time to time, by Congress, a governor, whose commission shall continue in force for the term of three years, unless sooner revoked by Congress; he shall reside in the district, and have a freehold estate therein, in one thousand acres of land, while in the exercise of his office.

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SEC. 4. There shall be appointed from time to time, by Congress, a secretary, whose commission shall continue in force for four years, unless sooner revoked; he shall reside in the district, and have a freehold estate therein, in five hundred acres of land, while in the exercise of his office. It shall be his duty to keep and preserve the acts and laws passed by the legislature, and the public records of the district, and the proceedings of the governor in his executive department, and transmit authentic copies of such acts and proceedings every six months to the Secretary of Congress. There shall also be appointed a court, to consist of three judges, any two of whom to form a court, who shall have a common-law jurisdiction and reside in the district, and have enact therein a freehold estate, in five hundred acres of land, while in the exercise of their offices; and their commissions shall continue in force during good behavior.

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SEC. 5. The governor and judges, or a majority of then, shall adopt and publish in the district such laws of the original States, criminal and civil, as may be necessary, and best suited to the circumstances of the district, and report them to Congress from time to time, which laws shall be in force in the district until the organization of the general assembly therein, unless disapproved of by Congress; but afterwards the legislature shall have authority to alter them as they shall think fit.

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SEC. 6. The governor, for the time being, shall be commander-in-chief of the militia, appoint and commission all officers in the same below the rank of general officers; all general officers shall be appointed and commissioned by Congress.

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SEC. 7. Previous to the organization of the general assembly the governor shall appoint such magistrates, and other civil officers, in each county or township, as he shall find necessary for the preservation of the peace and good order in the same. After the general assembly shall be organized the powers and duties of magistrates and other civil officers shall be regulated and defined by the said assembly; but all imagistrates and other civil officers, not herein otherwise directed, shall, during the continuance of this teinporary government, be appointed by the governor.

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SEC. 8. For the prevention of crimes, and injuries, the laws to be adopted or made shall have force in all parts of the district, and for the execution of process, criminal and civil, the governor shall make proper divisions thereof; and he shall proceed, from time to time, as circumstances may require, to lay out the parts of the district in which the Indian titles shall have been extinguished, into counties and townships, subject, however, to such alterations as may thereafter be made by the legislature.

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SEC. 9. So soon as there shall be five thousand free male inhabitants, of full age, in the district, upon giving proof thereof to the governor, they shall receive authority, with time and place, to elect representatives from their comunities or townships, to represent them in the general assembly: Provided, That for every five hundred free male inhabitants there shall be one representative, and so on, progressively, with the number of free male inhabitants, shall the right of representation increase, until the number of representatives shall amount to twenty-five; after which the number and proportion of representatives shall be regulated by the legislature; Provided, That no person be eligible or qualified to act as a representative, unless he shall have been a citizen of one of the United States three years, and be a resident in the district, or unless he shall have resided in the district three years; and, in either case, shall likewise hold in his own right, in fe simple, two hundred acres of land within the same: Provided also, That a freehold in fifty acres of land in the district, having been a citizen of one of the States, and being resident in the district, or the like freehold and two years' residence in the district, shall be necessary to qualify a man as an elector of a representative.

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SEC. 10. The representatives thus elected shall serve for the term of two years; and in case of the death of a representative, or removal from office, the governor shall issue a writ to the county or township, for which he was a member, to elect another in his stead, to serve for the residue of the term.

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SEC. 11. The general assembly, or legislature, shall consist of the governor, legislative council, and a house of representatives. The legislative council shall consist of five members, to continue in office five years, unless sooner removed by Congress; any three of whom to be a quorum; and the members of the council shall be nominated and appointed in the following manner, to wit: As soon as representatives shall be elected the governor shall appoint a time and place for them to meet together, and when met they shall nominate ten persons, resident in the district, and each possessed of a freehold in five hundred acres of land, and return their names to Congress, five of whom Congress shall appoint and commission to serve as aforesaid; and whenever a vacancy shall happen in the council, by death or removal from office, the house of representatives shall nominate two persons, qualified as aforesaid, for each vacancy, and return their names to Congress, one of whom Congress shall appoint and commission for the residue of the term; and every five years, four months at least before the expiration of the time of service of the members of the council, the said house shall nominate ten persons, qualified as aforesaid, and return their names to Congress, five of whom Congress shall appoint and commission to serve as members of the council five years, unless sooner removed. And the governor, legislative council, and house of representatives shall have authority to make laws in all cases for the good government of the district, not repugnant to the principles and articles in this ordinance established and declared. And all bills, having passed by a majority in the house, and by a majority in the council, shall be referred to the governor for his assent; but no bill, or legislative act whatever, shall be of any force without his assent. The governor shall have power to convene, prorogue, and dissolve the general assembly when, in his opinion, it shall be expedient.

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SEC. 12. The governor, judges, legislative council, secretary, and such other officers as Congress shall appoint in the district, shall take all oath or affirmation of fidelity, and of office; the governor before the President of Congress, and all other officers before the governor. As soon as a legislature shall be formed in the district, the council and house assembled, in one room, shall have authority, by joint ballot, to elect a delegate to Congress, who shall have a seat in Congress, with a right of debating, but not of voting, during this temporary government.

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SEC. 13. And for extending the fundamental principles of civil and religious liberty, which form the basis whereon these republics, their laws and constitutions, are, erected; to fix and establish those principles as the basis of all laws, constitutions, and governments, wliich forever here after shall be formed in the said territory; to provide, also, for the establishment of States, and perimanent government therein, and for their admission to a share in the Federal councils on an equal footing with the original States, at as early periods as may be consistent with the general interest:

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SEC. 14. It is hereby ordained and declared, by the authority aforesaid, that the following articles shall be considered as articles of compact, between the original States and the people and States in the said territory, and forever remain unalterable, unless by common consent, to wit:

ARTICLE I.

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No person, demeaning himself in a peaceable and orderly manner, shall ever be molested on account of his mode of worship, or religious sentiments, in the said territory.

ARTICLE II.

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The inhabitants of the said territory shall always be entitled to the benefits of the writs of habeas corpus, and of the trial by jury; of a proportionate representation of the people in the legislature, and of judicial proceedings according to the course of the common law. All persons shall be bailable, unless for capital offences, where the proof shall be evident, or the presumption great. All fines shall be moderate; and no cruel or unusual punishments shall be inflicted. No man shall be deprived of his liberty or property, but by the judgment of his peers, or the law of the land, and should the public exigencies make it necessary, for the common preservation, to take any person's property, or to demand his particular services, full compensation shall be made for the same. And, in the just preservation of rights and property, it is understood and declared, that no law ought ever to be made or have force in the said territory, that shall, in any maniler whatever, interfere with or affect private contracts, or engagements, bona fide, and without fraud previously formed.

ARTICLE III.

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Religion, morality, and knowledge being necessary to good government and the happiness of mankind, schools and the means of education shall forever be encouraged. The utmost good faith shall always be observed towards the Indians; their lands and property shall never be taken from then, without their consent; and in their property, rights, and liberty they never shall be invaded or disturbed, unless in just and lawful wars authorized by Congress; but laws founded in justice and humanity shall, from time to time, be made, for preventing wrongs being done to them, and for preserving peace and friendship with them.

ARTICLE IV.

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The said territory, and the States which may be formed therein, shall forever remain a part of this confederacy of the United States of America, subject to the articles of Confederation, and to such alterations therein as shall be constitutionally made; and to all the acts and ordinances of the United States in Congress assembled, conformable there to. The inhabitants and settlers in the said territory shall be subject to pay a part of the Federal debts, contracted, or to be contracted, and a proportional part of the expenses of government to be apportioned on them by Congress, according to the same common rule and measure by which apportionments thereof shall be made on the other States; and the taxes for paying their proportion shall be laid and levied by the authority and direction of the legislatures of the district, or districts, or new States, as in the original States, within the time agreed upon by the United States in Congress assembled. The legislatures of those districts, or new States, shall never interfere with the primary disposal of the soil by the United States in Congress assembled, nor with any regulations Congress may find necessary for securing the title in such soil to the bona-fide purchasers. No tax shall be imposed on lands the property of the United States; and in no case shall non-resident proprietors be taxed higher than residents. The navigable waters leading into the Mississippi and Saint Lawrence, and the carrying places between the same, shall be common highways, and forever free, as well to the inhabitants of the said territory as to the citizens of the United States, and those of any other States that may be admitted into the confederacy, without any tax, impost, or duty therefor.

ARTICLE V.

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There shall be formed in the said territory not less than three nor more than five States; and the boundaries of the States, as soon as Virginia shall alter her act of cession and consent to the same, shall become fixed and established as follows, to wit: The western State, in the said territory, shall be bounded by the Mississippi, the Ohio, and the Wabash Rivers; a direct line drawn from the Wabash and Post Vincents, due north, to the territorial line between the United States and Canada; and by the said territorial line to the Lake of the Woods and Mississippi. The middle State shall be bounded by the said direct line, the Wabash from Post Vincents to the Ohio, by the Ohio, by a direct line drawn due north from the mouth of the Great Miami to the said territorial line, and by the said territorial line. The eastern State shall be bounded by the last-mentioned direct line, the Ohio, Pennsylvania, and the said territorial line: Provided, however, And it is further understood and declared, that the boundaries of these three States shall be subject so far to be altered, that, if Congress shall hereafter find it expedient, they shall have authority to form one or two States in that part of the said territory which lies north of an east and west line drawn through the southerly bend or extreme of Lake Michigan. And whenever any of the said States shall have sixty thousand free inhabitants therein, such State shall be admitted by its delegates, into the Congress of the United States, on an equal footing with the original States, in all respects whatever; and shall be at liberty to for a permanent constitution and State government: Provided, The constitution and government, so to be formed, shall be republican, and in conformity to the principles contained in these articles, and, so far as it can be consistent with the general interest of the confederacy, such admission shall be allowed at an earlier period, and when there may be a less number of free inhabitants in the State than sixty thousand.

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ARTICLE VI.

There shall be neither slavery nor involuntary servitude in the said territory, otherwise than in the punishment of crimes, whereof the party shall have been duly convicted: Provided always, That any person escaping into the same, from whom labor or service is lawfully claimed in any one of the original States, such fugitive may be lawfully reclaimed, and conveyed to the person claiming his or her labor or service as aforesaid.

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Be it ordained by the authority aforesaid, That the resolutions of the 23rd of April, 1784, relative to the subject of this ordinance, be, and the same are hereby, repealed, and declared null and void.

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Done by the United States, in Congress assembled, the 13th day of July, in the year of our Lord 1787, and of their sovereignty and independence the twelfth.

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CONSTITUTION OF THE UNITED STATES—1787.

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WE THE PEOPLE of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquillity, 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.

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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.

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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.

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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 or that State in which he shall be chosen.

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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 Representative; and until such enumeration shall be made, the State of New Hampshire shall be entitled to choose 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.

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When vacancies happen in the Representation from any State, the Executive Authority thereof shall issue Writs of Election to fill such Vacancies.

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The House of Representatives shall choose their Speaker and other Officers; and shall have the sole Power of Impeachment.

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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.

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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.

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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.

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The Vice President of the United States shall be President of the Senate, but shall have no Vote, unless they be equally divided.

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The Senate shall choose 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.

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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.

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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.

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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 choosing Senators.

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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.

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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 Quorninig 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.

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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.

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Each House shall keep a Journal of its Proceedings, and from time to time publish the sail, 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.

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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.

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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.

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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 all have been created, or the Envoluments 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.

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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.

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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 be- cornea 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.

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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.

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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;

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To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;

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To establish an uniform Rule of Naturalization, and uniform Laws on the subject of Bankruptcies throughout the United States;

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To coin Money, regulate the Value thereof, and of foreign

Coin, and fix the Standard of 'Weights and Measures;

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To provide for the Punishment of counterfeiting the Securities and current Coin of the United States;

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To establish Post Offices and post Roads;

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To promote the Progress of Science and useful Artsby securing for limited Times to Authors and Inventor' the exclusive Right to their respective Writings and Discoveries;

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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;

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To declare War, grant Letters of Marque and Reprisal, and make Rules concerning Captures on Land and Water;

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To raise and support Armies, but no Appropriation of Money to that Use shall be for a longer Term than two Years;

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To provide and maintain a Navy;

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To make Rules for the Government and Regulation of the land and naval Forces;

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To provide for calling forth the Militia to execute the Laws of the Union, suppress Insurrections and repel Invasions;

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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

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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.

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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.

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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.

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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.

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No Tax or Duty shall be laid on Artides exported from any State.

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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.

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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 front time to time.

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No Title of Nobility shall be granted by the United States: And no Person holding any Office of Profit or Trust under then, 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.

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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.

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No State shall man, without the Consent of the Congress, lay any Imposts or Duties on Imports or Exports, except what may be absolutely necessary for executing it's 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 Control of the Congress.

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No State shall, without the Consent of Congress, lay any Duty of Tonnage, keep Troops, or Ships of War in tinge 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 iminnent Daiiger as will not admit of delay.

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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.

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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 choose 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 choose the President. But in using the President, the votes shall be taker, 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 choose from them by ballot their Vice-President. The Congress may determine the Time of choosing the Electors, and the Day on which they shall give their Votes; which Day shall be the same throughout the United States.

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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.

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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 disolve 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.

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The President shall, at stated Times, receive for his Services, a Compensation, which shall neither be increased nor diminished during the Period'for which he shall have been elected, and he shall not receive within that Period any other Emolument frown the United States, or any of them.

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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."

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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.

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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.

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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.

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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.

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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.

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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.

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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.

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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.

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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.

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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.

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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.

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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.

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SECTION 2. The Citizens of each State shall be entitled to all Privileges and immunities of Citizens in the several States.

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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.

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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.

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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.

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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.

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SECTION 4. The United States shall guarantee to every State ii, this Union a Republican Fon'i 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.

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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.

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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.

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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.

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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.

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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.

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DONE in Convention by the Unanimous Consent of the States present the Seventeenth Day of September ill the Year of our Lord one thousand seven hundred and Eighty seven, and of the Independence of the United States of America the Twelfth. IN WITNESS whereof We have hereunto subscribed our Names,

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Go: WASHINGTON-

President and Deputy from Virginia.

New Hampshire.

JOHN LANGDON, NICHOLAS GILMAN.

Massachusetts.

NATHANIEL GOHHAM, Rufus KING.

Connecticut.

WM. SAML. JOHNSON, ROGER SHERMAN.

New York.

ALEXANDER HAMILTON.

New Jersey.

WIL: LIVINGSTON, WM. PATERSON,

DAVID BREARLEY, JONA. DAYTON.

Pennsylvania.

B. FRANKLIN, THOS. FITZSIMONS,

THOMAS MIFFLIN, JARED INGERSOLL,

ROBT. MORRIS, JAMES WILSON,

GEO. CLYMER, GOUV. MORRIS.

Delaware.

GEO. READ, RICHARD BASSETT,

GUNNING BEDFORD, Jun., JACO: BROOM,

JOHN DICKINSON.

Maryland.

DAN. of St. Thomas JENIFER,

JAMES MCHENRY, DAN. CARROLL.

Virginia.

JOHN BLAIR, JAMES MADISON, Jr.

North Carolina.

WM. BLOUNT, HUGH WILLIAMSON,

RICHARD DOBBS SREIGHT,

South Carolina.

J. RUTLEDGE, CHARLES PINCKNEY,

CHARLES COTESWORTH PINCKNEY, PIERCE BUTLER.

Georgia.

WILLIAM FEW, ABR. BALDWIN.

Attest: WILLIAM JACKSON, Secretary.

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ARTICLES IN ADDITION TO, AND AMENDMENT OF, THE CONSTITUTION OF THE UNITED STATES OF AMERICA, PROPOSED BY CONGRESS, AND RATIFIED BY THE LEGISLATURES OF THE SEVERAL STATES PURSUANT TO THE FIFTH ARTICLE OF THE ORIGINAL CONSTITUTION.

[ARTICLE I.]

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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.

[ARTICLE II.]

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A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Anns, shall not be infringed.

[ARTICLE III.]

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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.

[ARTICLE IV.]

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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.

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\*The first ten amendments to the Constitution of the United States were proposed to the legislatures of the several States by the First Congress, on the 25th September, 1789.

[ARTICLE V.]

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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 a 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.

[ARTICLE VI.]

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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.

[ARTICLE VII.]

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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 rexamined in any Conrt of the United States, than according to the rules of the common law.

[ARTICLE VIII.]

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Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

[ARTICLE IX.]

vol.3, p.329

The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.

[ARTICLE X.]

vol.3, p.329

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.

[ARTICLE XI.]

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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.

[ARTICLE XII. ]

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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

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\* The eleventh amendment to the Constitution of the United States was proposed to the legislatures of the several States by the Third Congress, on the of September, 1794; and was declared in a message from the President to Congress, dated the 8th of January, 1798, to have been ratified by, the legislatures of three-fourths of the States. [POORE.]

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\* The twelfth amendment to the Constitution of the United States was proposed to the legislatures of the several States by the Eighth Congress, on the 12th of December, 1803, in lieu of the third paragraph of the first section of the third article; and was declared in a proclamation of the Secretary of State, dated the 25th of September, 1804, to have been ratified by the legislatures of three-fourths of the States. [Poolt E.] 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.

[ARTICLE XIII]

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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.

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SECTION 2. Congress shall have power to enforce this article by appropriate legislation.

[ARTICLE XIV.]

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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

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\* The thirteenth amendment to the Constitution of the United States was proposed to the legislatures of the several States by the Thirty- eighth Congress, on the first of February, ; and was declared, in a proclamation of the Secretary of State, dated the 18th of December, 1865, to have been ratified by the legislatures of twenty-seven of the thirty-six States viz.: Illinois, Rhode Island, Michigan, Maryland, New York, West Virginia, Maine, Kansas, Massachusetts, Pennsylvania, Virginia, Ohio, Missouri, Nevada, Indiana, Louisiana, Minnesota, Wisconsin, vermont, Tennessee, Arkansas, Connecticut, New Hampshire, South Carolina, Alabama, North Carolina, and Georgia. [POORE.]

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\*The fourteenth amendment to the Constitution of the United States was proposed to the legislatures of the several States by the Thirty- ninth Congress, on the 16th of June, 1866. On the 21st of July, 1868, Congress adopted and transmitted to the Department of State a concurrent resolution, declaring that the legislatures of the States of Connecticut, Tennessee, New Jersey, Oregon, Vermont. New York, Ohio, Illinois, West Virginia, Kansas, Maine, Nevada, Missouri, In- diana, Minnesota, New Hampshire, Massachusetts, Nebraska, Iowa, Arkansas, Florida, North Carolina, Alabama, South Carolina, and Louisiana, being three-fourths and more of the several States of the Union, have ratified the fourteenth article of amendment to the Constitution of the United States, duly proposed by two-thirds of each House of the Thirty-ninth Congress: Therefore, Resolved, That said fourteenth article is hereby declared to be a part of the Constitution of the United States, and it shall be duly promulgated as such by the Secretary of State." [POORE.] abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without die process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

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SECTION 2. Representatives shall be apportioned among the several States according to their respective numbers, counting the whole nuiliber 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 inebers of their 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 ale citizens shall bear to the whole number of male citizens twenty-one years of age in such State.

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SECTION 3. No person shall be a Senator or Representative in Congress, or elector of President and Vice President, or old any office, civil, or military, under the United States, or under any State, who, having previously taken ail 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 their Constitution of the United States, shall have eiigaged in insurrection or rebellion against the saine, or given aid or comfort to the enemies thereof. But Congress may by a vote of two-flirds of each House, remove such disability.

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SECTION 4. The validity of the public debt of the United States, authorized by law, including debts incurred for payment of pensiolls and bounties for services in suppressing insurrection or rebellion, shall not be questioned. But neither the United States nor any State shall assulne 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.

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SECTION 5. The Congress shall have power to enforce by appropriate legislation, the provisions of this article.

[ARTICLE XV. ]

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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.

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SECTION 2. The Congress shall have power to enforce this article by appropriate legislation.

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\* The fifteenth amendment to the Constitution of the United Slates was proposed to the legislatures of the several States by the Fortieth Congress, on the 27th of February, 1869, and was declared, in a proclamation of the Secretary of State, dated March 30, 1870, to have been ratified by the legislatures of twenty-nine of the thirty seven States. [POORE.]

KENTUCKY RESOLUTIONS OF 1798.

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I. Resolved, 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 for the United States and of amendments thereto, they constituted a General Government for special purposes, delegated to that Government certain definite powers, reserving each state to itself, the residuary mass of right to their own self-Government; and that whensoever the General Government assumes undelegated powers, its acts are unauthoratative, void, and of no force: That to this compact each state acceded as a state, and is an integral party, its co-states forming as to itself, the other party: That the Government created by this compact was not made the exclusive or final judge of the extent of the powers delegated to itself; since that would have made its discretion, and not the constitution, the measure of its powers; but that as in all other cases of compact among parties having no common Judge, each party has an equal right to judge for itself, as well of infractions as of the mode and measure of redress.

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II. Resolved, that the Constitution of the United States having delegated to Congress a power to punish treason, counterfeiting the securities and current coin of the United States, piracies and felonies committed on the High Seas, and offences against the laws of nations, and no other crimes whatever, and it being true as a general principle, and one of the amendments to the Constitution having also declared, "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," therefore also the same act of Congress passed on the 14th day of July, 1798, and entitled "An act in addition to the act entitled an act for the punishment of certain crimes against the United States;" as also the act passed by them on the 27th day of June, 1798, entitled "An act to punish frauds committed on the Bank of the United States" (and all other their acts which assume to create, define, or punish crimes other than those enumerated in the constitution) are altogether void and of no force, and that the power to create, define, and punish such other crimes is reserved, and of right appertains solely and exclusively to the respective states, each within its own Territory.

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III. Resolved, that it is true as a general principle, and is also expressly declared by one of the amendments to the Constitution 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;" and that no power over the freedom of religion, freedom of speech, or freedom of the press being delegated to the United States by the Constitution, nor prohibited by it to the states, all lawful powers respecting the same did of right remain, and were reserved to the states, or to the people: That thus was manifested their determination to retain to themselves the right of judging how far the icentiousness of speech and of the press may be abridged without lessening their useful freedom, and how far those abuses which cannot be separated from their use, should be tolerated rather than the use be destroyed; and thus also they guarded against all abridgement by the United States of the freedom of religious opinions and exercises, and retained to themselves the right of protecting the same as this state, by a Law passed on the general demand of its Citizens, had already protected them from all human restraint or interference: And that in addition to this general principle and express declaration, another and more special provision has been made by one of the amendments to the Constitution which expressly declares, that "Congress shall make no laws respecting an Establishment of religion, or prohibiting the free exercise thereof, or abridging the freedom of speech, or of the press," thereby guarding in the same sentence, and under the same words, the freedom of religion, of speech, and of the press, insomuch, that whatever violates either, throws down the sanctuary which covers the others, and that libels, falsehoods, defamation, equally with heresy and false religion, are withheld from the cognizance of federal tribunals. That therefore the act of the Congress of the United States passed on the 14th day of July, 1798, entitled "An act in addition to the act for the punishment of certain crimes against the United States," which does abridge the freedom of the press, is not law, but is altogether void and of no effect.

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IV. Resolved, that alien friends are under the jurisdiction and protection of the laws of the state wherein they are; that no power over them has been delegated to the United States, nor prohibited to the individual states distinct from their power over citizens; and it being true as a general principle, and one of the amendments to the Constitution having also declared, that "the powers not deligated to the United States by the Constitution, nor prohibited to the states are reserved to the states respectively or to the people," the act of the Congress of the United States passed on the 22nd day of June, 1798, entitled "An act concerning aliens," which assumes power over alien friends not delegated by the Constitution, is not law, but is altogether void and of no force.

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V. Resolved, that in addition to the general principle as well as the express declaration, that powers not delegated are reserved, another and more special provision inserted in the Constitution from abundant caution has declared, "that 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 1808." That this Commonwealth does admit the migration of alien friends described as the subject of the said act concerning aliens; that a provision against prohibiting their migration, is a provision against all acts equivalent thereto, or it would be nugatory; that to remove them when migrated is equivalent to a prohibition of their migration, and is, therefore contrary to the said provision of the Constitution, and void.

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VI. Resolved, that the imprisonment of a person under the protection of the Laws of this Commonwealth on his failure to obey the simple order of the President to depart out of the United States, as is undertaken by the said act entitled "An act concerning Aliens," is contrary to the Constitution, one amendment to which has provided, that "no person shall be deprived of liberty without due process of law," and that another having provided "that in all crimnal prosecutions, the accused shall enjoy the right to a public trial by an impartial jury, 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," the same act undertaking to authorize the President to remove a person out of the United States who is under the protection of the Law, on his own suspicion, without accusation, without jury, without public trial, without confrontation of the witnesses against him, without having witnesses in his favour, without defence, without counsel, is contrary to these provisions also of the Constitution, is therefore not law but utterly void and of no force.

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That transferring the power of judging any person who is under the protection of the laws, from the Courts to the President of the United States, as is undertaken by the same act concerning Aliens, is against the article of the Constitution which provides, that "the judicial power of the United States shall be vested in the Courts, the Judges of which shall hold their offices during good behaviour," and that the said act is void for that reason also; and it is further to be noted, that this transfer of Judiciary power is to that magistrate of the General Government who already possesses all the Executive, and a qualified negative in all the Legislative powers.

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VII. Resolved, that the construction applied by the General Government (as is evidenced by sundry of their proceedings) to those parts of the Constitution of the United States which delegate to Congress a 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, and to make all laws which shall be necessary and proper for carrying into execution the powers vested by the Constitution in the Government of the United States, or any department thereof, goes to the destruction of all the limits prescribed to their power by the Constitution—That words meant by that instrument to be subsidiary only to the execution of the limited powers, ought not to be so construed as themselves to give unlimited powers, nor a part so to be taken, as to destroy the whole residue of the instrument: That the proceedings of the General Government under colour of these articles, will be a fit and necessary subject for revisal and correction at a time of greater tranquillity, while those specified in the preceding resolutions call for immediate redress.

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VIII. Resolved, that the preceding Resolutions be transmitted to the Senators and Representatives in Congress from this Commonwealth, who are hereby enjoined to present the same to their respective Houses, and to use their best endeavours to procure at the next session of Congress, a repeal of the aforesaid unconstitutional and obnoxious acts.

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IX. Resolved lastly, that the Governor of this Commonwealth be, and is hereby authorized and requested to communicate the preceding Resolutions to the Legislatures of the several States, to assure them that this Commonwealth considers Union for specified National purposes, and particularly for those specified in their late Federal Compact, to be friendly to the peace, happiness, and prosperity of all the states: that faithful to that compact according to the plain intent and meaning in which it was understood and acceded to by the several parties, it is sincerely anxious for its preservation: that it does also believe, that to take from the states all the powers of self government, and transfer them to a general and consolidated Government, without regard to the special delegations and reservations solemnly agreed to in that compact, is not for the peace, happiness, or prosperity of these states: And that therefore, the Commonwealth is determined, as it doubts not its estates are, to submit to undelegated & consequently unlimited powers in no man or body of men on earth: that if the acts before specified should stand, these conclusions would flow from them; that the General Government may place any act they think proper on the list of crimes & punish it themselves, whether enumerated or not enumerated by the Constitution as conizable by them: that they may transfer its cognizance to the President or any other person, who may himself be the accuser, counsel, judge, and jury, whose suspicious may be the evidence, his order the sentence, his officer the executioner, and his breast the sole record of the transaction: that a very numerous and valuable description of the inhabitants of these states, being by this precedent reduced as outlaws, to the absolute dominion of one man and the barrier of the Constitution this swept away from us all, no rampart now remains against the passions and the powers of a majority of Congress, to protect from a like exportation or other grievous punishment the minority of the same, the Legislature, Judges, Governors, & Counsellors of the states, nor their other peaceable inhabitants who may venture to reclaim the constitutional rights & liberties of the state & people, or who for other causes, good or bad, may be obnoxious to the views or marked by the suspicions of the President, or be thought dangerous to his or their elections or other interests public or personal: that the friendless alien has indeed been selected as the safest subject of a first experiment; but the citizen will soon follow, or rather has already followed; for already has a Sedition Act marked him as its prey: that these and successive acts of the same character, unless arrested on the threshold, may tend to drive these states into revolution and blood, and will furnish new calumnies against Republican Governments, and new pretexts for those who wish it to be believed, that man cannot be governed but by a rod of iron: that it would be a dangerous delusion were a confidence in the men of our choice to silence our fears for the safety of our rights: that confidence is everywhere the parent of despotism: free government is founded in jealousy and not in confidence; it is jealousy and not confidence which prescribes limited Constitutions to bind down those whom we are obliged to trust with power: that our Constitution has accordingly fixed the limits to which and no further our confidence may go; and let the honest advocate of confidence read the Alien and Sedition Acts, and say if the Constitution has not been wise in fixing limits to the Government it created, and whether we should be wise in destroying those limits? Let him say what the Government is if it be not a tyranny, which the men of our choice have conferred on the President, and the President of our choice has assented to and accepted over the friendly strangers, to whom the mild spirit of our country and its laws had pledged hospitality and protection: that the men of our choice have more respected the hare suspicions of the President than the solid rights of innocence, the claims of justification, the sacred force of truth, and the forms & substance of law and justice. In questions of power then let no more be heard of confidence in man; but bind him down from mischief by the chains of the Constitution. That this Commonwealth does therefore call on its Co-States for an expression of their sentiments on the acts concerning Aliens, and for the punishment of certain crimes herein before specified, plainly declaring whether these acts are or are not authorized by the Federal Compact? And it doubts not that their sense will be so announced as to prove their attachment unaltered to limited Government, whether general or particular, and that the rights and liberties of their Co-States will be exposed to no dangers by remaining embarked on a common bottom with their own: That they will concur with this Commonwealth in considering the said acts as so palpably against the Constitution as to amount to an undisguised declaration, that the Compact is not meant to be the measure of the powers of the General Government, but that it will proceed in the exercise over these states of all powers whatsoever: That they will view this as seizing the rights of the states and consolidating them in the hands of the general government with a power assumed to bind the states (not merely in cases made federal) but in all cases whatsoever, by laws made, not with their consent, but by others against their consent: That this would be to surrender the form of Government we have chosen, and live under on deriving its powers from its own will, and not from our authority; and that the Co-States, recurring to their natural right in cases not made federal, will concur in declaring these acts void and of no force, and will each unite with this Commonwealth in requesting their repeal' at the next session of Congress.

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EDMUND BULLOCK, S. H. R.

JOHN CAMPBELL, S. S. P. T.

Passed the House of Representatives, Nov. 10th, 1798.

Attest, THOMAS TODD, C. H. R.

In Senate, November 13th, 1798, unanimously concur red in,

Attest, B. THURSTON, Clk. Sen.

Approved November 16th, 1798.

JAMES GARRARD, .G. K.

By the Governor,

HARRY TOULMIN,

Secretary of State.

VIRGINIA RESOLUTIONS OF 1798.

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VIRGINIA to wit,

IN THE HOUSE OF DELEGATES,

Friday, December 21st, 1798.

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Resolved, that the General Assembly of Virginia doth unequivocally express a firm resolution to maintain and defend the constitution of the United States, and the constitution of this state, against every aggression, either foreign or domestic, and that they will support the government of the United States in all measures, warranted by the former.

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That this Assembly most solemnly declares a warm attachment to the union of the states, to maintain which, it pledges its powers; and that for this end, it is their duty, to watch over and oppose every infraction of those principles, which constitute the only basis of that union, because a faithful observance of them, can alone secure its existence, and the public happiness.

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That this Assembly doth explicitly and peremptorily declare, that it views the powers of the Federal Government, as resulting from the coinpact, to which the states are parties; as limited by the plain sense and intention of the instrument constituting that compact; as no farther valid than they are authorized by the grants enumerated in that compact, and that in case of a deliberate, palpable and dangerous exercise of other powers not granted by the said compact the states who are parties thereto have the right, and are in duty bound, to interpose for arresting the progress of the evil, and for maintaining, within their respetive limits the authorities, rights, and liberties pertaining to them.

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That the General Assembly doth also express its deep regret, that a spirit has, in sundry instances, been manifested by the Federal Government, to enlarge its powers by forced constructions of the constitutional charter which defines them; and that indications have appeared of a design to expound certain general phrases (which having been copied from the very limited grant of powers in the former articles of confederation were the less liable to be misconstrued) so as to destroy the meaning and effect of the particular enumeration, which necessarily explains and limits the general phrases; and so as to consolidate the states by degrees into one sovereignty, the obvious tendency and inevitable consequence of which would be, to transform the present republican system of the United States, into an absolute, or at best a mixed monarchy.

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That the General Assembly doth particularly protest against the palpable and alarming infractions of the constitution, in the two late cases of the "Alien and Sedition acts," passed at the last session of Congress; the first of which exercises a power nowhere delegated to the Federal Government; and which by uniting legislative and judicial powers, to those of executive, subverts the general principles of free government, as well as the particular organization and positive provisions of the federal constitution: and the other of which acts, exercises in like manner a power not delegated by the constitution, but on the contrary expressly and positively forbidden by one of the amendments thereto; a power which more than any other ought to produce universal alarm, because it is levelled against that right of freely examining public characters and measures, and of free communication among the people thereon, which has ever been justly deemed, the only effectual guardian of every other right.

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That this state having, by its convention which ratified the federal constitution, expressly declared, "that among other essential rights, the liberty of conscience and the press cannot be cancelled, abridged, restrained or modified by any authority of the United States," and from its extreme anxiety to guard these rights from every possible attack of sophistry and ambition, having with other states recommended an amendment for that purpose, which amendment was in due time annexed to the constitution, it would mark a reproachful inconsistency and criminal degeneracy, if an indifference were now shown to the most palpable violation of one of the rights thus declared and secured, and to the establishment of a precedent which may be fatal to the other.

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That the good people of this Commonwealth having ever felt and continuing to feel the most sincere affection for their brethren of the other states, the truest anxiety for establishing and perpetuating the union of all, and the most scrupulous fidelity to that constitution which is the pledge of mutual friendship, and the instrument of mutual happiness: the General Assembly doth solemnly appeal to the like dispositions of the other states, in confidence that they will concur with this commonwealth in declaring, as it does hereby declare, that the acts aforesaid are unconstitutional, and that the necessary and proper measures will be taken by each for cooperating with this state, in maintaining unimpaired the authorities, rights, and liberties, reserved to the states respectively, or to the people.

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That the Governor be desired to transmit a copy of the foregoing resolutions to the executive authority of each of the other states, with a request, that the same may be communicated to the legislature thereof.

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And that a copy be furnished to each of the Senators and Representatives representing this state in the Congress of the United States.

Attest, JOHN STEWART, C. H. D.

1798, December the 24th.

Agreed to by the Senate. H. BROOKE, C. S.

THE KENTUCKY RESOLUTIONS OF 1799.

HOUSE OF REPRESENTATIVES, Thursday, Nov. 14, 1799.

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The house, according, to the standing order of the day, resolved itself into a committee, of the whole house, on the state of the commonwealth, (Mr. Desha in the chair,) and, after some time spent therein, the speaker resumed the chair, and Mr. Desha reported that the committee had taken under consideration sundry resolutions passed by several state legislatures, on the subject of the Alien and Sedition Laws, and had come to a resolution thereupon, which he delivered in at the clerk's table, where it was read and unanimously agreed to by the House as follows:

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The representatives of the good people of this commonwealth, in General Assembly convened, having maturely considered the answers of sundry states in the Union to their resolutions, passed the last session, respecting certain unconstitutional laws of Congress, commonly called the Alien and Sedition Laws, would be faithless indeed to themselves, and to those they represent, were they silently to acquiesce in the principles and doctrines attempted to be maintained in all those answers, that of Virginia only accepted. To again enter the field of argument, and attempt ntore fully or forcibly to expose the unconstitutionality of those obnoxious laws, would, it is apprehended, be as unnecessary as unavailing. We cannot, however, but lament that, in the discussion of those interesting subjects by sundry of the legislatures of our sister states, unfounded suggestions and uncandid insinuations, derogatory to the true character and principles of this commwealth, have been substituted in place of fair reasoning and sound argument. Our opinions of these alarming measures of the general government, together with our reasons for those opinions, were detailed with decency and with temper, and submitted to the discussion and judgment of our fellow citizens throughout the Union. Whether the like decency and temper have been observed in the answers of most of those States who have denied or attempted to obviate the great truths contained in those resolutions, we have now only to submit to a candid world. Faithful to the true principles of the Federal Union, unconscious of any designs to disturb the harmony of that Union and anxious only to escape the fangs of despotism, the good people of this commwealth are regardless of censure or calumniation. Lest, however, the silence of this commonwealth should be construed into an acquiescence in the doctrines and principles advanced, and attempted to be maintained by the said answers or, at least those of our fellow-citizens, throughout the Union, who so widely differ from us on those important subjects, should be deluded by the expectation that we shall be deterred from what we conceive our duty, or shrink from the principles contained in those resolutions—therefore,

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Resolved, That this Commonwealth considers the Federal Union upon the terms and for the purposes specified in the late compact, conducive to the liberty and happiness of the several States: That it does now unequivocally declare its attachment to the Union, and to that compact, agreeably to its obvious and real intention, and will be among the last to seek its dissolution: That, if those who administer the general government be permitted to transless the limits fixed by that coinpact, by a total disregard to the special delegations of power therein contained, an annihilition of the State governments, and the creation, upon their ruins of a general consolidated government, will be the inevitable consequence: That the principle and construction, contended for by sundry of the state legislatures, that the general government is the exclusive judge of the extent of the powers delegated to it, stop not short of despotism-since the discretion of those who administer the government, and not the Constitution, would be the measure of their powers: That the several States who formed that instrument, being sovereign and independent, have the unquestionable right to judge of the infraction; and, That a nullification, by those sovereignties of all unauthorized acts done under color of that instrument, is the rightful remedy: That this Commonwealth does, under the most deliberate reconsideration, declare, that the said Alien and Sedition Laws are, in their opinion, palpable violations of the said Constitution; and, however cheerfully it may be disposed to surrender its opinion to a majority of its sister States, in matters of ordinary or doubtful policy, yet, in momentous regulations like the present, which so vitally wound the best rights of the citizen, it would consider a silent acquiescence as highly criminal: That, although this Commonwealth, as a party to the Federal compact, will bow to the laws of the Union yet it does, at the same time, declare, that it will not now, or ever hereafter, cease to oppose, in a constitutional manner, every attempt, at what quarter so ever offered, to violate that compact: And finally, in order that no pretext or arguments may be drawn from a supposed acquiescence, on the part of this Commonwealth, in the constitutionality of those laws, and he thereby used as precedents for similar future violations of the federal compact, this Commonwealth does now enter against them its solemn PROTEST.

Extract, etc. Attest, THOMAS TODD, C. H. R.

In Senate, Nov. 22, 1799.—Read and concurred in.

Attest, B. THURSTON, C. S.

END OF VOL. III.

History of the American People

Volume 4: Critical Changes and Civil War

Chapter 1:

The Democratic Revolution

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GENERAL JACKSON'S friends had reason to be satisfied. The effect they had wrought was indeed dramatic, revolutionary. They had cut a line of cleavage between epoch and epoch in the history of the country. They had broken, once for all, the "Virginian dynasty," "the succession of Secretaries," the leadership of trained and trusted men; had set aside every tradition of national politics; and had begun the administration of the executive office of the Union afresh upon their own plan. They had not, indeed, won secure control of either house of Congress. Parties were not fixed enough as yet for that. There were not a few "Democrats" who still retained a covert liking for the liberal construction their opponents put upon the constitution, and who upon occasion wavered in their votes, or incontinently went over to the ranks of the "National Republicans," whom Mr. Clay led. In the Senate there could be found, upon most questions, a majority against the new President. But the whole atmosphere of affairs, the whole tone of the government changed, nevertheless, with the coming in of General Jackson. The new nation, its quality subtly altered, its point of view insensibly shifted by the movement into the West, had smiled with some degree of patient complacency upon Mr. Monroe, and had endured John Quincy Adams, but now for the first time chose after its own kind and preferred General Jackson. It was a second democratization of the government. And yet it differed radically from the first, which Mr. Jefferson had so shrewdly contrived. There was no kinship either in spirit or in method between Mr. Jefferson and this new hero of democracy. Mr. Jefferson had, indeed, expressed the greatest alarm "at the prospect of seeing General Jackson President." "He is," he said, "one of the most unfit men I know of for the place. He has had very little respect for laws or constitutions, and is, in fact, an able military chief. His passions are terrible. He has been much tried since I knew him, but he is a dangerous man." And had Mr. Jefferson lived to witness the result, he would hardly have altered his judgment. He had stood, for all he was so full of democratic doctrine, for conservative ways of political growth. General Jackson stood, it turned out, for personal government, party proscriptions, and the self-willed choices of personal power.

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General Jackson professed to be of the school of Mr. Jefferson himself; and what he professed he believed. There was no touch of the charlatan or the demagogue about him. The action of his mind was as direct, as sincere, as unsophisticated as the action of the mind of an ingenuous child, though it exhibited also the sustained intensity and the range of the mature man. The difference between Mr. Jefferson and General Jackson was not a difference of moral quality so much as a difference in social stock and breeding. Mr. Jefferson, an aristocrat and yet a philosophical radical, deliberately practised the arts of the politician and exhibited oftentimes the sort of insincerity which subtle natures yield to without loss of essential integrity. General Jackson was incapable of arts or deceptions of any kind. He was in fact what his partisans loved to call him, a man of the people, of the common people. Mr. Jefferson was only a patron of the people: appealed to the rank and file, believed in them, but shared neither their tastes nor their passions. Moreover, the effective rank and file of the nation had changed since his day of ascendency. Step by step, one State following another, the old restrictions upon the suffrage, taken for granted in Jefferson's time, had been removed, until in almost every part of the Union the men of the masses had be come the stuff of politics. These men Jackson really represented, albeit with a touch of the knight and chivalrous man of honor about him which common men do not have; and the people knew it; felt that an aristocratic order was upset, and that they themselves had at last come to their own.

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It must have seemed so in very fact at their President's inauguration. Washington filled with crowds come out of every quarter of the Union. All ceremony was overridden, all decorum cast aside. It seemed as if the place were in the possession of a good-natured mob, bent upon no serious mischief, but not to be restrained, not to be forbidden even the drawing rooms of the White House or the committee rooms and chambers of the Capitol. There was scarcely room enough in the streets for the passage of the procession which accompanied General Jackson to the place of inauguration. So great a crowd rushed, unbidden, into the White House, when General Jackson came to it from the Capitol, that he was himself forced against the wall of the reception chamber by its pressure, and was secured against serious danger only by a number of gentlemen linking arms and forming themselves into a barrier. Everywhere it was proclaimed that the people had come into possession of the government; that the domination of professional statesmen and politicians had been thrown off: that the rank and file were the victors, and that to the victors belonged "the spoils of the enemy."

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That was unquestionably General Jackson's creed. Men who understood him could play upon him. He had allowed ill-informed men who believed it, and designing men who pretended to believe it, to persuade him that the government had not only been monopolized but also corrupted by the politicians and statesmen who had hitherto controlled it; and he meant to purify it very radically. Among his advisers were men, like Mr. Martin Van Buren, of New York, who were past-masters in the art of party organization, and whose methods he willingly adopted for the establislment of the national power of his followers. They were methods which he could readily understand, and which seemed almost to fall within his own experience. He was a frontier soldier. Staunch comradeships, personal devotion, the close, unhesitating cohesion of friends, the intimate cooperation of men who knew and trusted one another by reason of joint efforts in a common affair, seemed to him the natural and proper basis for the discipline of a party no less than for the discipline and success of a frontier levy of volunteers. He knew and cared nothing for the orderly promotions of a regular service.

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The suffrage had been thrown open in New York, as elsewhere, and Mr. Van Buren had become one of a small group of astute men there who had supplied the new voters, crowding without concert to the polls, with the organization they could not contrive for themselves. These "Albany regents," as their opponents dubbed them, had effected their propaganda and their nominations, through local caucuses, and through conventions composed of delegates whom the caucuses selected. The lieutenants whom they used to assist them in organizing the caucuses, superintending the selection and the business of the conventions, and looking after every local detail of party action, they rewarded when they could with offices and nominations for themselves. It was this association of men who stood by one another and served one another as personal allies and friends that won the admiration of General Jackson. "I am no politician," he said; "but if I were one, I would be a New York politician." Pennsylvanian politics were of the same sort: the politics of intimate personal association. There, too, democracy on the great scale had submitted to the same organization, the same leadership of consummate, watchful managers. It was the new organization of democracy. General Jackson both understood and relished it. He saw nothing immoral in the promise that when he came into office he would reward his friends and punish his enemies. That, on the contrary, was a fundamental first principle of morals on the frontier. He firmly believed his friends to be the friends also of the government,—of the government as it had been and ought to be; his enemies, enemies of the government as well. The earnestness and sincerity with which he believed it, the frankness with which he avowed the belief, were interesting proofs of his conscious integrity. With all the intensity of his nature he wished for the welfare of the country, the advancement of the Union, the success and permanency of its government; with all the terrible force of his will he purposed to secure both the one and the other. No doubt he had shown contempt for law, as Mr. Jefferson said, when he was upon the frontier, hampered by treaties and instructions; but his ideals were not those of the law-breaker. They were those of the ardent patriot. The peril of the country lay in the fact that he chose to disregard precedent and to interpret all laws for himself,—the law of the constitution no less than the law of the statute book.

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And so there was almost a clean sweep of the federal offices to make room for General Jackson's friends, and secure proper persons to execute General Jackson's purposes. That the men dismissed had been long in office he deemed an additional argument for their discharge rather than an argument for their retention. Long terms of service he thought undemocratic. They slackened diligence, he believed, and made office-holders too carelessly secure. No doubt they fostered corruption, too. He did not himself conduct the proscription; he let those whom he trusted conduct it in his name. By the time the first Congress of his term assembled (December 7, 1829) it was estimated that fully a thousand federal officials had been removed, as against seventy-three at the most in all the previous history of the government. The Senate tried to stay the tide where it could, in its action on the nominations sent to it; but found the President imperious, irresistible, not to be gainsaid, and public opinion out-of-doors astonishingly ready to support and applaud him at every turn of the contest. "We give no reasons for our removals," said Mr. Van Buren; and apparently the mass of the voters wanted none. They were content to know that General Jackson was changing the government from top to bottom. Men without parts or reputation of course got into office, in the general scramble. There could be little choice or deliberation in that wholesale process. The men appointed were for the most part men who had put themselves forward. There were very few men of any experience at all in federal administration, and many adventurers, to be found in the ranks of the new party. "Very few reputable appointments have been made," Mr. Adams, the ruthless General's predecessor in office, set down in his journal, "and those confined to persons who were indispensably necessary to the office." "The appointments are exclusively of violent partisans, and every editor of a scurrilous and slanderous newspaper is provided for."

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It was only fair to remember that the new party drew of necessity upon its ranks, whether for ordinary officials or for leaders. If the minor office holders were new men, so were their chiefs also, who stood close about the President himself. The cabinet which General Jackson chose seemed conventional enough, indeed, for a party so recently made up. Mr. Van Buren had left the office of Governor of New York to become Secretary of State. He had been merely a local politician, no doubt, though he had served a term in the Senate, and had come but the other day into national prominence; but he was at least as well known as many another cabinet officer before him. The other heads of Departments, though even less generally known to the nation than he was, had played a public part in affairs, in Congress and out of it, and had been chosen for reasons familiar enough in politics. Major John H. Eaton, of Tennessee, was selected to be Secretary of War, because he was a trusted personal friend of the President's; the Secretaries of the Treasury and of the Navy and the Attorney General owed their places to the fact that they were the friends of Mr. Calhoun, the Vice President, who stood at the front of the President's party in the South. The Postmaster General had been a candidate for the governorship of Kentucky in the Jackson interest, and had been defeated by a nominee of the friends of Mr. Clay.

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What was really singular and significant was, that these gentlemen did not, under General Jackson, form a real cabinet at all. The country presently learned that the President did not hold cabinet meetings: that he took counsel, when he felt in need of it, with private friends, some of whom had no recognized post or standing in the government at all. Chief among these were one William B. Lewis, of Tennessee, a kinsman and neighbor of General Jackson's, and one Amos Kendall, a Massachusetts man now identified with Kentucky. It was Major Lewis who, more than any other man, had first forced him into candidacy for the presidency, who had set the stage for him at every turn of his political career, who had set afoot, superintended, fomented, and with an infinite art and diligence brought successfully to a head the many influences, public and private, which were to bring him finally into office and to the leadership of his party. General Jackson consulted and used him without in the least realizing that he had in him a consummate master of the arts whereby opinion is made and individual men are set forward in their ambition. He had made Major Lewis Second Auditor of the Treasury; but Lewis was not a man who played for himself. He played for Jackson, and loved every subtle turn of the game: used his gifts of management like one who played for his own hand, and yet remained a man of honor and served his friend more than he served himself. Amos Kendall was a master of the art political, not in action, but upon paper. He had gifts as a writer which could be turned to account in the composition of the most serious state papers. He caught the impressive tone of public business and mastered its calm way of reasoning as readily as he caught the tones of partisan controversy and spent his force in its bitter energy. He could frame a significant innuendo or prepare an editorial for the party press that bit as deep as anything that Tom. Paine or William Cobbett could have written. He seemed a statesman or a mere partisan by turns; it was difficult to tell which he was either by nature or by choice. He was perhaps each in turn; but nothing out of the closet.

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There were others of the "Kitchen Cabinet" besides: the editors of Jacksonian newspapers; but the heart of it lay in Major Lewis and Mr. Kendall. Mr. Van Buren and Major Eaton, of Tennessee, the Secretary of War, were freely admitted into this inner circle; but not as members of the cabinet, only as personal friends and confidants of the President. And so a veritable personal government was set up, so far as the Executive and the discipline of the Executive's friends in Congress were concerned; and allegiance to General Jackson became the test of fidelity for every Democrat who wished to be admitted to the party's counsels. The President's mere audacity won many men to him, for the masses of the country loved bold individual initiative. His rugged honesty, his sincerity, his own power of devotion, his frank friendliness, his confiding faith in his friends won more. Towards women he showed the gracious, deferential courtesy of the man who would be every woman's knight and champion. Foreign ministers who had expected to find in him the rough frontiersman were amazed at his natural dignity and ease, the air almost of elegance and of majesty that hung about him because of his quiet self-respect, his grave and unaffected courtesy, and the striking sadness and reserve of his deep-set eyes. No President since Washington had so taken hold upon the imagination, and every month he remained in office his ascendency became the more assured.

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It made a startling difference to the country. It broke the course of all settled policy, forced every question to square itself with the President's standards, altered the elements of parties. The country got its first taste of the effect to be wrought upon policy in connection with the troublesome question of the removal of the Indians from Georgia and Alabama to lands beyond the Mississippi. Georgia had got rid of the Creek Indians while Mr. Adams was President. Both Creeks and Cherokees held their Georgia lands under treaties with the United States such as the constitution explicitly authorized the President to negotiate; the Creeks had relied upon the treaties and steadfastly refused to sell their lands or suffer themselves to be driven out of the State; and Mr. Adams had sought by every means in his power to protect them. But Congress had supported him very lukewarmly, and Georgia had succeeded at last in exhorting from the unwilling chiefs of the tribe terms which put their people forth into the West, where Congress was ready to provide for them. The Cherokees were not to be so cajoled or dealt with. They mustered thirteen thousand strong; had settled to the occupations and learned the arts of peace; boasted a system of self-government and of orderly obedience to their own laws which seemed to promise, not extinction or decay or any decline of their power, but a great development and an assured permanency; and would not entertain any proposition whatever which involved the sale or relinquishment of the rich lands they occupied. General Jackson, however, unlike his predecessor, thought the State ought to be rid of them. Georgia and Alabama, therefore, relying on his countenance, extended their laws over the Indian country in despite of treaties; the President, when Georgia requested him to do so, withdrew the federal troops stationed there; and the Indians were obliged to yield. "I informed the Indians inhabiting parts of Georgia and Alabama," the President told Congress in his first message, "that their attempt to establish an independent government would not be countenanced by the Executive of the United States, and advised them to migrate beyond the Mississippi or to submit to the laws of those States." Life on the frontier had left him no patience to consider the rights of red men.

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Their rights were duly tested in the courts. Three several times was the matter taken, on appeal, to the Supreme Court of the United States, and each time the court decided the question submitted to it in favor of the Indians, upholding the treaties and denying the right of any State, or any authority whatever, to violate or ignore them. But General Jackson would not enforce its decisions. His attitude towards the Indians was frankly that of the frontier soldier. They had no right, in his eyes, to stand in the way of the white man. By the time the last of the decisions of the Supreme Court was rendered in the matter (1832) another presidential election was at hand and he was a candidate for re-election. He said that he would leave the question to the people,—such was his constitutional theory of right! The constitution did indeed give the federal Executive the authority to negotiate treaties with the Indian tribes, and Congress the right to regulate commerce with them, as if they were to be treated in all respects like independent bodies politic, in no way subject to the jurisdiction of the separate States. But the constitution also explicitly commanded that no new State should be "formed or erected within the jurisdiction of any other State" without the express consent of the legislature of that State and of Congress; and the Cherokees were obviously in a fair way to create a virtually independent commonwealth within the State of Georgia should they remain. It was a nice point of law, which General Jackson should have recognized the right of the Supreme Court to decide. But with him his own judgment was more conclusive, and a vote of the people the solution of all doubts.

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It was significant how quick the new democracy he stood for was to take fire against the courts and turn, by way of ultimate appeal, to the people in all things. In Mr. Jefferson's day also the courts had seemed the strongholds of Federalism, and the leaders of Congress had wished to see their judges removed at pleasure upon the address of the houses. Now they seemed again the barriers, the only barriers, set up against the people's will. Many an observant eye had remarked how dramatic a thing it was that General Jackson, like Mr. Jefferson, should take the oath of office from John Marshall, the steadfast champion of Federalist doctrine and of the reign of law under a constitution which was itself the supreme law of the land. When Mr. Jefferson took office John Marshall had but just come to his power, a man in his prime, the incoming President's junior by a dozen years. Now he was the new President's senior by as many years, though General Jackson, for all his erect and slender height, was a gray veteran of sixty-two. The aged Chief Justice was as straight at seventy-four as the soldier to whom he administered the oath of office, and bore his years as well; but General Jackson stood, his years notwithstanding, for a new age coming in, the aged judge for an old order passing away. The fire that shone in the eyes of the old soldier burned hot against the authority that sat upon the quiet brow of the aged lawyer.

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In the very inaugural address which he uttered that day of his coming into office the grizzled President threw out his challenge to the court, and made bold to give it upon a matter of graver moment for the whole country than the rights of Indian tribes even and the sacredness of the treaties which gave them a standing in the court. He doubted, he gave the country to understand, whether Congress had acted within its constitutional powers in creating the Bank of the United States. That had once, as everybody understood, been a debatable question; but the Supreme Court had given judgment upon it in the celebrated case of McCullock vs. Maryland (1819), in which it had explicitly affirmed the right, as drawn by just inference from the undoubted powers of Congress; and since then it had been deemed a question settled once for all. But General Jackson regarded no question as settled which altered circumstances could reopen. The twenty-year charter of the Bank was not to run out, indeed, until 1836, a year which lay beyond his term; but a reconsideration of it was to come. Apparently he had no intention of going now beyond a mere preliminary expression of opinion in the matter. He simply put this forth as a companion thought to his declaration of the conviction that the surplus revenue of the federal government ought to be distributed among the States, not spent for objects, like internal improvements, which the constitution, in his opinion, gave Congress no authority to undertake or pay for. He was merely setting forth at the outset of his time of power, after his usual blunt, uncompromising fashion, what he conceived to be the true democratic creed in matters of national finance. Other more pressing matters called for first attention, and for action.

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These initial declarations of opinion and intimations of policy on the part of the President were eminently satisfactory to the men of the South and West whose candidate he had been. Here were the views of strict construction for which they had looked. In his very first message he solemnly warned Congress "against all encroachments upon the legitimate sphere of state sovereignty"; and conservative men, whose thought had been formed by Mr. Jefferson, drew about him with almost as much confidence as was shown by those who had the adventurous and aggressive spirit of the new age at their hearts and desired change.

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But when the President was put to the test by the Carolinians for whom Mr. Calhoun had formulated the extreme doctrine of state rights, they suddenly saw him in another light. They then saw, what they might have seen at first, that he was of the West, not of the South. He stood, as all other western men did, for the principle that every community must have its own life in the free partnership it had formed, and its own unhindered, unbidden development, unchecked by the national government: for he believed that to be the end and object of the Union, to make the States secure of their individual development and set them forward in their own ways. But there was an infection of national feeling, too, upon the stirring frontier where he had been bred which no man could escape; a sense as of a people's life a-making upon a continental scale; an ardor for broad schemes and vast achievement, in bands united and backed by the nation's power. "The legitimate sphere of state sovereignty" did not, when projected there upon the prairies, encroach upon the equally legitimate sphere of the federal power. The two were inseparable parts of a single conception. No frontiersman reasoned subtly upon them: instinct and the spirit of conquest resolved all doubts and discountenanced all refinements. Argument was excluded. In any case General Jackson, as President, would have excluded it. To challenge the authority of the federal government now was to challenge his own authority; and there need have been no doubt what he would do in that event.

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The issue that was to be joined and settled was first drawn to the light, with painful vividness, by a debate in the Senate on the disposition of the western lands. The New England men wanted the settlement of the West held back as much as possible. So long as land was to be had there almost for the mere asking, at no cost except that of the journey and of a few farmer's tools and a beast or two for the plough, the active men of their own section, whom they counted on as skilled workmen in building up their manufactures, must be constantly enticed away by the score and hundred, to seek an independent life and livelihood in the West; high wages, very high wages, must be paid to keep them, if indeed they could be kept at all; and the maintenance of manufactures must cost more than even protective tariffs could make good. Here was an issue between East and West. The tariff itself was an issue between North and South, and drew after it, when read into the question of the western lands, no less a matter than the extension of slavery and the domination of sections in the politics of the country. Heavy tariffs, which fostered manufactures in the States where there were no slaves, insured growth of wealth and population in the East and North, but left the South to stand still and gain nothing. If her people could not go into the West and build up slave states there to make good the altering balance of power in the Union, they must look to see all things go steadily against them.

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All these critical matters crept inevitably, as it seemed, into the debate on the western lands; and the country was aroused by it almost as it had been aroused ten years before by the debates on the admission of Missouri. It turned upon a resolution to limit the sales of the western lands which Mr. Foot, of Connecticut, introduced in the Senate late in December, 1829. Ordinary men could not have raised it to such a climax of interest; but the men engaged were not ordinary men. It was not Mr. Benton's hot protest that the men of New England should be always jealous of the growth and prosperity of the West that caught the ear of the country; it was the speeches of Mr. Hayne, of South Carolina, and Mr. Webster, of Massachusetts. The debate, as they handled it, swung abroad over the whole ground of the many closely related topics which lay upon the borders of the immediate question it concerned. Mr. Hayne was of the extreme school of South Carolina, and took occasion to expound at length the doctrine of nullification which his colleagues in that school had so lately perfected. It was out of the question, he said, that a State, when wronged by an exercise of federal power, should leave the decision of the matter of right entirely to the Supreme Court of the United States, part and organ of the very government whose power was challenged. The constitution was a compact, he maintained, the Union a free partnership; States must stand ever upon the ground of the Kentucky and Virginia Resolutions and effect their own protection against deliberate and palpable excesses of power. Mr. Webster as fearlessly took the extreme ground of the opposite view. It was this splendid audacity on either side that quickened the pulses of all who listened, this hardy, intrepid pushing of the issue to its last analysis,—and that issue nothing less than the nation's destiny.

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The debaters were already marked men. The Senator from South Carolina, though not yet forty, had won his laurels as a lad in the war of 1812, had been elected to the legislature of his State at twenty-three and made Speaker of its House at twenty-five; made his way as much by personal charm as by eloquence and a gift for business, had a grace and ardor in his speech which won all men's attention and liking, wore always the air of a man of honor and high spirit, and used his singular powers of persuasion with a fine force of conviction. Daniel Webster, his opponent, had first come into Congress from New Hampshire, as the war with England was drawing to a close (1813), and then, upon a change of residence, had been sent first to the House (1823), finally to the Senate (1827), from Massachusetts, and was now at forty-eight one of the most noticeable figures of the country, an orator and constitutional lawyer whose mastery every man acknowledged. Twice he had taken his stand, with a force of argument it would have been difficult to enhance, against protective tariffs; but, seeing his constituents deliberately and persistently stake their whole economic fortune as a community upon them, he at last had yielded, and was now the accepted champion of New England against the violent onset of the South. He replied to Mr. Hayne that the constitution was no compact, the Union no mere dissoluble partnership, but a government, sovereign though not consolidated, a banded State which nothing but revolution could dissolve, its laws to be set aside or resisted only by acts of treason.

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No such charm hung about the person of Mr. Webster as that which made Mr. Hayne so excellent an image of the courtly gentleman and the persuasive orator. Alike in person and in utterance, Mr. Webster was compact, not of grace, but of force. Mr. Hayne's sentences rode high, upon rhetoric that sought often an adventurous flight; Mr. Webster used words as if he meant only to clarify and strengthen the thoughts he touched and cared nothing for cadence or ornament. And yet he spread them in ranks so fair that they caught and held the eye like a pageant. Beauty came upon them as they moved as if out of the mere passion of the thought rather than by the design of the orator. And he himself gave to the eye, as he stood, in his own person the same image of clean-cut strength, beautiful only by reason of its perfect action, so square was he, massive, and indomitable, and with a head and face whose mass, whose calm breadth above the deep-set, slumbrous eyes, seemed the fittest possible throne for the powers he displayed. There was imagination wrought into all that he said, but not the imagination of the rhetorician. Mr. Hayne's speech seemed to those who heard it worthy of the great reply it had called forth; but the country did not read it as it read what Mr. Webster had said. That was everywhere printed and read; and as the slow mails carried it forth it was as if the national spirit had suddenly been cried wide awake by its thrilling sentences. It was not the mere reasoner who won this triumph: reason was here touched with fire. The imagination of every man who could see the vision of a people united, indivisible, bound in sacred concord, was taken captive by these sonorous periods; the conviction of every man who saw the task and destiny of the nation as a whole was confirmed and heartened and made glad. There was magic in the printed words, as there was magic in the thrilling voice and the magnificent presence of the man himself, in his massive stature and Olympian head, and in his eyes, burning dark with steady fire within their deep covert.

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There was no such magic in Mr. Hayne's speech: only the force of argument and of an able, clear-thinking man in earnest. Mr. Webster had taken new ground. The men of the first generation of federal statesmen had not spoken thus of the constitution, at whose conception and establishment they had been present. They had admitted that it was an experiment, though they had hastened at once to push it, if they could, beyond its experimental stage. No man had attributed treason to the authors of the Kentucky and Virginia Resolutions, whose language Mr. Calhoun and Mr. Hayne now revived. Every man who felt the power and the hope that were in the spirit of nationality as the men of the West did, as the constructive statesmen did who had stood with Washington and Hamilton in their generation, and with the young war enthusiasts who cried bravo to Mr. Madison in the war with England in theirs, protested very hotly when New England men talked of disunion, first because of the purchase of Louisiana, and then because of the embargo. But they protested, not as against rebellion; they protested as against mad folly, rather, and narrow selfishness: as against those who would mar a great history to push a sectional interest. Not until a whole generation had gone by from the making of the government did this new doctrine of nationality which Mr. Webster so elequently and convincingly preached get its currency: this doctrine of a national existence based, not upon sentiment and agreement, but upon an imperative fundamental law.

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Here again, as in the broadening of the suffrage and the coming in of the day of pure democracy which had brought General Jackson to the saddle with its dawn. The subtle force of national expansion moved and brooded upon the face of all things. The vast spread and movements of a people, the growth and interlacings of industry, the springing up of States come from the loins of the Union itself, all the visible increase of peaceful empire bred this spirit as of a nation—no longer merely confederated, a nation knit and united for a common history of achievement. General Jackson, coming from the frontier, where this mighty force of nationality was visibly afoot, seemed to embody the new spirit of power in his rough, imperious sense of a right, as President, to override and command. Mr. Webster, though no friend of Jackson's, clothed what was In effect the same conception in terms of statesmanship and law. Under his touch the constitution seemed to partake of the growth which it had only engendered. It was of necessity, as he read it, no mere document, but a vehicle of life. Its sanctions could be made to cover every change that added to the unity or the greatness of the nation. Its quiet phrases could always be heard to speak the spirit of the times.

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But what of those parts of the nation which had kept to the old models of federal life, which did not change, and would accept no law but that which read as it had always read since they were nurtured? The South had had little part or lot in the transformations of the new age. Her life was unaltered from of old. She lived and thought as she had always lived and thought. The Union was still the same to her that it had been to all the States alike in that first generation whose life and thought she kept. There had been no amendment of the fundamental law. Could the law change because men's thoughts had changed and their interests? No doubt, in her reaction against what she saw afoot, she stiffened the old doctrines and exaggerated them. Mr. Madison, who had drafted the Virginia Resolutions of '98, rejected very warmly the nullification doctrines of Mr. Calhoun and Mr. Hayne, not a little stirred and agitated in his quiet retirement at Montpellier by this new threat of disunion. Any doctrine would have worn a look of heightened rigor stated in Mr. Calhoun's clear, uncompromising way, and probably no man of the elder generation, had he been willing to formulate it at all, would have stated it so absolutely. The exigency and the sudden passion of opposition had given it this sharp and novel phrase. Mr. Webster, with characteristic genius, had met it with its opposite, as sharp and uncompromising, the ideal for which the men of the constitutional convention had prayed and which since their day had sprung into life while no man observed.

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The times seemed to bring all things to an issue. No doctrine which touched practice so nearly could very long remain a thing of theory while General Jackson was on the field of action, and the advocates of nullification were of no mind to stop with the debate on the western lands. On April 13, 1830, the leading Democrats at Washington celebrated Mr. Jefferson's birthday by a formal banquet, to which the President was bidden. They took their cue from Mr. Calhoun and the southerners, and the toasts they gave smacked shrewdly of nullification. When the President saw their drift he got to his feet and bluntly proposed this sentiment as his own: "Our federal Union: it must be preserved." "Liberty, dearer than the Union," cried the Vice President, in retort; but retort only hardened the President's temper; and Mr. Calhoun presently proved the least likely person in the country to be able to soften it. The very month that followed that memorable banquet General Jackson learned for the first time that Mr. Calhoun, who had been Secretary of War during his campaign against the Seminoles in 1818, had emphatically condemned his unauthorized capture of Pensacola as a wanton act of war against Spain, and had demanded an official investigation of it, with a view to its repudiation. Hitherto he had deemed Mr. Calhoun his friend; now he deemed him basely deceitful for having played his friend after such conduct in cabinet against him. He could not separate official action in such a matter from personal enmity; and no explanation that Mr. Calhoun could make did more than increase his bitter anger. He turned from all who followed or consorted with the South Carolinian.

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Before another year was out he had reconstructed his cabinet, to purge it of Mr. Calhoun's friends, to constitute it of men really in his confidence; partly also to discipline those members of the first cabinet who had failed to satisfy him in a social quarrel. The ladies of the cabinet circle refused recognition to Mrs. Eaton, the wife of the Secretary of War, deeming her reputation not unimpeachable. General Jackson believed her innocent of their charges, was ready, indeed, to believe any woman innocent, as his own wife had been, against whom cruel things had been said unjustly; and was glad to show his resentment against Mrs. Eaton's enemies by putting the men forth from his counsels whose wives had slighted her against his wishes.

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The breach between the President and Mr. Calhoun was a serious sign of the times. It not only embittered the President, it also cut all party ties for Mr. Calhoun, and set him free to work out as he pleased the opposition of his State to the burdensome tariff of 1828. It also made Mr. Calhoun's theories of nullification seem all the blacker, all the more like treason, to the unforgiving old soldier, sure always of being and of having been in the right. It freed Mr. Calhoun and his friends from entangling alliances. They moved the straighter towards their goal, the vindication of the rights of the "staple States" against the policy of federal tariffs. The hopes of 1828 had been dissipated and the clash of sectional parties was at hand. In 1832 Congress, willing to divert the rising storm by moderate concessions, passed a new tariff Act, substituting for the "abominations" of 1828 a schedule of duties substantially the same as those of 1824. But the new measure, like the old, yielded nothing of the principle of protection, and the South Carolinian leaders were in a humor now to contest the principle itself and have done with it.

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The year 1832 brought the season in which choice was once more to be made of a President, and other matters waited a little until the choice should be certainly known. A novel variety was lent to the field of contest by the entrance of a new party. In 1826 one William Morgan, of northwestern New York, had advertised a book which should make known the secrets of Freemasonry, and had been kidnapped and was never seen again. Popular indignation had fixed upon the society of Freemasons itself as responsible for the crime, and an anti-Masonic party had sprung up whose object it was to keep Freemasons out of places of public trust. It had spread with surprising stir and persistency from State to State, and in September, 1831, it summoned a national convention of its partisans to display its strength and name candidates of its own for the presidency and vice presidency. The regular parties followed its cue. They also chose delegates out of the several States to meet in nominating conventions and put their candidates in the field by formal vote. The National Republicans nominated Mr. Clay, now leader of the Senate and unquestioned leader of the party. The Democrats nominated General Jackson, as of course, for a second term, and with him, for Vice President, not Mr. Calhoun, but his own chosen lieutenant, Mr. Martin Van Buren. The vote of the electors was decisive, as before. But six States voted for Mr. Clay (Massachusetts, Rhode Island, Connecticut, Delaware, Maryland, and Kentucky); seventeen voted for General Jackson. Vermont gave her votes to the candidates of the Anti-Masons. The electors of South Carolina, chosen as always by the legislature, held punctiliously off from all parties and voted for candidates of their own.

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The election over, General Jackson once more chosen, her party ties broken, her principles of opposition still unsanctioned and untested, South Carolina proceeded with her radical programme of redress. On the 24th of November (1832) a state convention, summoned for the purpose and formed upon the model of a constitutional convention, adopted and promulgated a formal Ordinance of Nullification, which declared the tariff Acts of 1828 and 1832 null and void and without force of law within the jurisdiction of South Carolina, and gave solemn warning to the rest of the country that any attempt on the part of the federal government to enforce the nullified laws within her limits would sever South Carolina's connection with the Union and force her to organize a separate government. The legislature of the State immediately took steps looking towards a resumption of some of the powers before formally surrendered to the Union, and provided for putting the State in readiness to resist coercion by force of arms. Mr. Hayne was recalled from Washington to become governor of the State; and Mr. Calhoun resigned the vice presidency to take his place upon the floor of the Senate, that he might, there contest every inch of the ground in debate.

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The President acted as every one who really knew him knew that he would act. Opposition itself would in any case have been sufficient incitement to action; but now the tonic of the election was in his veins. The natural, straightforward, unhesitating vigor of the man dictated what should be done. "Please give my compliments to my friends in your State," said the imperious old soldier to a member of the House from South Carolina who asked his commands, "and say to then, that if a single drop of blood shall be shed there in opposition to the laws of the United States, I will hang the first man I lay my hand on engaged in such treasonable conduct, upon the first tree I can reach." No one doubted that he meant what he said. Before South Carolina's convention met he had instructed the collector of the port of Charleston to collect the duties, resistance or no resistance; and when the Ordinance of Nullification reached him he replied to it with a proclamation whose downright terms no man could misread. For a little space he argued; but only for a little. For the most part he commanded. "The laws of the United States," he said, "must be executed. I have no discretionary power on the subject,—my duty is emphatically pronounced in the constitution. Those who told you that you might peacefully prevent their execution deceived you…. Their object is disunion, and disunion by armed force is treason." It was the doctrine of Webster in the mouth of a soldier. Congress voted the President full power to deal with the crisis as circumstances should demand.

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Even then South Carolina did not flinch or draw back; but men who loved peace pressed forward on both sides to effect a compromise. Mr. Clay planned and urged measures of accommodation with all the skill and ardor and persuasiveness which made him so great a master of men, and the tariff which was a thorn in South Carolina's side, though not in principle abandoned, was radically modified. A schedule of progressive annual reductions was agreed upon (March, 1833) which should by July, 1842, bring practically all duties to the uniform rate of twenty percent. The Ordinance of Nullification was first suspended, then repealed; and the conflict between the States and the Union was for a little while put off.

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The principal general authorities for the interesting events covered by this chapter are the second volume of Schouler, the first and second volumes of Von Hoist, the fourth volume of Tucker, the fourth volume of Bryant and Gay; A. W. Young's The American Statesman; R. McK. Ormsby's History of the Whig Party; Edward Stanwood's History of the Presidency; Alexander Johnston's History of America n Politics; James Parton's Life of Andrew Jackson; William G. Sumner's Andrew Jackson in the American Statesmen Series; Edward M. Shepard's Martin Van Buren, in the same series; Carl Schurz's Henry Clay, in the same series; Calvin Colton's Life and Times of Henry Clay; George Ticknor Curtis's Life of Daniel Webster and Life of James Buchanan; John T. Morse's John Quincy Adams and Abraham Lincoln in the American Statesmen Series; and Anson D. Morse's Political Influence of Andrew Jackson in the first volume of The Political Science Quarterly. With these are to be placed, as general authorities for this, that, or the other special phase or aspect of the time and its affairs, Jabez D. Hammond's History of Political Parties in the State of New York; Arthur Holmes's Parties and their Principles; Byrdsall's History of the Loco Foco, or Equal Rights, Party; John McGregor's Progress of America; F. W. Taussig's History of the Tariff; Henry A. Wise's Seven Decades of the Union; Alexander H. Stephens's Constitutional View of the War Between the States; the admirable articles on the several topics of American history during these years by Alexander Johnston in Lalor's Cyclopaedia of Political Science, Political Economy, and United States History; D. F. Houston's Critical Study of nullification in South Carolina (the third volume of the Harvard Historical Studies); Frederick Law Olmsted's Cotton Kingdom; the second volume of W. W. Story's Life of Joseph Story; Henry C. Lodge's Daniel Webster, H. Von Hoist's John C. Calhoun, Theodore Roosevelt's Thottias H. Benton, and A. .C. McLaughlin's Lewis Cass in the American Statesmen Series; James Bryce's Predictions of Hamilton and De Tocqueville in the fifth volume of the Johns Hopkins Studies in Historical and Political Science; Lucy M. Salmon's History of the Appointing Power; and E. C. Mason's Veto Power (first volume of the Harvard Historical Studies).

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The chief sources are the Register of Debates and Congressional Documents; The Congressional Globe, which begins with these years; Thomas H. Benton's Abridgment of the Debates of Congress; The Statesman's Manual, vol. II. ; viles's Register, volumes XXXV.-XLIV.; the Tenth Census, Population; the first volume of Alexander Johnston's Representative American Orations; F. W. Taussig's State Papers and Speeches on the Tariff; the American State Papers; Josiah Quincy's Figures of the Past; George Tucker's Progress of the United States in Fifty Years; John Trumbull's Autobiography; Amos Kendall's Autobiography; Alexis de Tocqueville's Democracy in America; S. G. Goodrich's Recollections of a Lifetime; Hugh McCulloch's Men and Measures of Half a Century; Nathan Sargent's Public Men and Events; John Quincy Adams's Memoirs; J. A. Hamilton's Reminiscences; Men and Events at Home and Abroad; Thomas H. Benton's Thirty Years' View; Ben. Perley Poore's Perley's Reminiscences; Mrs. Chapman Coleman's Life of John J. Crittenden; Basil Hall's Travels in North America in the Years 1827 and 1828; John Finch's Travels in the United States and Canada (1833); Mrs. Trollope's Domestic Manners of the Americans; Michael Chevalier's Society, Manners, and Politics in the United States (1834-1835); Harriet Martineau's Society in America (1834-1836); Seba Smith's Letters of Major Jack Downing (satirical); Martin Van Buren's Inquiry into the Origin and Growth of Political Parties in the United States; General Court of Massachusetts, State Papers on Nullification; the Letters, Speeches, and Works of the leading public men of the day.

Chapter 2:

The Bank and the Treasury

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AGAIN in 1832, as in 1828, it had been a man rather than a party that had won the presidential election. The real issue of the contest had been the re-election or rejection of General Jackson, upon his record as President and political leader. Although he took the result as a verdict against South Carolina, as a verdict against every one who withstood his authority either as man or as President, the nullification issue had not been made a test of doctrine or policy by either party. It was passed by, as if politicians wished to ignore it. So far as it was a contest concerning policy at all, and not a mere attack of the conservative forces of the country upon General Jackson himself as a radical and the author or spokesman of all revolutionary error, the contest centred upon the question of the Bank. It was the President's hostility to the United States Bank that was the Opposition's chief item of indictment against him. They attacked him also, it is true, for his unfriendly attitude towards the protective system and for his unwillingness to allow liberal outlays to be made for internal improvements. But he had in fact been more tractable than they had expected in those matters. He had really suffered Congress to go its own way in adjusting the tariff, and had yielded now and again to its ardor for spending money out of the federal treasury for the improvement of harbors and for the prosecution of other public works which promised to result in a general benefit to commerce. Only on the question of the Bank had he stood stubborn and forced the fighting.

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The charter of the Bank was not to run out until 1836. It had not been necessary or wise to force the question of its renewal to an issue in 1832, to be confused with the question of General Jackson's popularity and personal prestige. The conservatives in Congress had been betrayed into a grave tactical blunder, because they shut their eyes to the real signs of the times. They did not yet know the rules of prudence in a day of personal politics; did not understand the subtle elements of the play; did not know the opinion of the country or comprehend the drift of affairs. The Bank of the United States had been first created in 1791, and the question of the right of Congress to establish it had been duly fought out then, as it were at the very founding of the government. Both Congress and the Executive had accepted the conclusions of Mr. Hamilton in the matter, and rejected the conclusions of Mr. Jefferson. Mr. Jefferson's party had allowed the charter of the Bank to lapse in 1811, when their day of power came, professing themselves opposed to it on principle; but in 1816, finding the exigencies of finance powerful solvents of their scruples, they had changed their minds and had given it another twenty-year charter. Three years later the Supreme Court of the United States (McCulloch vs. Maryland, 1819) confirmed the reasoning of Mr. Hamilton with regard to its constitutionality in a formal decision, and set the views of every scholarly lawyer in the country once for all at rest on the matter.

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But General Jackson had come in "to simplify and purify the workings of the government, and to carry it back to the times of Mr. Jefferson—to promote its economy and efficiency, and to maintain the rights of the people and of the States in its administration"; and from the outset, with something of the instinct of the communities in which he had been bred, he looked upon the Bank as an enemy of constitutional and democratic government. His attack upon it, begun in his first inaugural address, had been continued in every annual message he sent to Congress. He had begun by plainly intimating a doubt as to the legality of its institution, the Supreme Court to the contrary notwithstanding; and had asserted that it had failed to establish a stable currency. He next pronounced it an "un-American monopoly." Finally he expressed serious misgivings as to the soundness of its management. At each mention of it his warmth sensibly increased; his hostility became more open and aggressive. The purpose apparently grew upon him to destroy it. He forced it to meet him, as challenger, and fight for its life in the open field of politics. Influences were at work upon him which were only by degrees disclosed to his opponents.

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The constitution of the Bank unquestionably placed it very near the government itself. Its capital stock was $35,000,000, and of this the federal treasury held nearly one-third by direct subscription ($11,000,000); five of its twenty-five directors were appointed by the President of the United States; it was the depository of the public funds and enjoyed the use of them without interest; it was empowered to issue circulating notes to the full par value of its capital stock; and its notes were made receivable by the United States as cash for all debts. Congress pledged itself to create no other bank while the charter stood. In return, the Bank had paid the federal government a million and a half dollars for its franchise, and undertook to negotiate the loans of the government without charge or commission. Its notes it was obliged by law to redeem in specie on demand. Although a private corporation and carefully planned upon conservative and prudent principles, it was unquestionably the ruling force in the money market, and took its power from its connection with the government. Undoubtedly, too, it had been intended to play this dominating part and was by design a political institution. It had been Mr. Hamilton's object, in setting up the first Bank of the United States, to bring the money transactions of the country under a central control, to check the experimental banking operations of the States, and to draw the capitalists of the country and the greater organizers of industry to the active support of the federal government upon grounds of interest. The second Bank, now under fire from the Executive, had been given the same constitution and function.

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The supporters of the Bank were in a measure justified in claiming that it was for such a purpose that the very government itself had been set up. Nothing had more obviously threatened quick and overwhelming disaster to the country in the days of the Revolution and the Confederation than the reckless financial operations of the States, their unlimited issues of irredeemable paper, their piled up promises and meagre means of redeeming them; and the constitution of the Union had been framed almost as much to avert ruin from that quarter as to create a real government, clear up the relationships of the States to one another, and steady their political action. It absolutely forbade the States to issue bills of credit, did not give the federal government itself power to do so, and was meant practically to prohibit the use of any currency which was not at least based directly upon gold and silver. But the courts had opened new flood-gates. They had ruled that, although the States themselves could not legally issue bills of credit, they could incorporate private banks authorized to issue notes at pleasure, with or without proper security for their redemption, could even themselves invest public moneys in the stock of such banks and become virtual partners in the irresponsible business. Gold and silver were hard to get, came within reach of eager borrowers only in the most niggardly quantities, and could be had only for securities in hand. The adventures of growth and industry in a new country where everything was making and to be made demanded easy credit, to be had for the asking, and abundant money; and had only promises and hopes to offer for security. Banks of issue sprang up everywhere that there was expectation and sanguine confidence; and every possible vagary attended their operations. No man could tell a day's journey from the bank whose paper he carried whether it would be accepted and serve him as money or not. Only a great commanding bank, everywhere known, whose notes really and always represented gold could supply paper worth its face value in all places or keep exchanges from chaos.

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Such an agency of adjustment and control the Bank of the United States had proved itself to be. It had not only served its purpose as a fiscal agent of the government to the satisfaction of the Treasury, but had also steadied and facilitated every legitimate business transaction and rid the money market of its worst dangers. But many of the men to whom General Jackson was accustomed to listen believed, or affected to believe, that it had done much more: that its power was used to serve a party and to keep men who were no friends of the people or of popular rights in a position to manage and corrupt the whole politics of the nation. They reasoned out of experience. The state banks were everywhere notoriously tainted with political partisanship,—were almost everywhere familiar, recognized engines of party supremacy. No one who was not of the political majority in the State could get a banking charter from a state legislature; no one was absolutely sure of credit or indulgence at a state bank except those who were of the party of its directors. It had come to be looked upon as a matter of course that banks should be used as parts of the machinery of political control. General Jackson and his partisans could not believe that the great Bank of the United States was free from a similar taint. It had certainly been established by men of the party which they were now trying in all things to supplant, the men who had turned away from General Jackson and followed Mr. Clay. It was part of the old, suspected, aristocratic order which the new democracy had come in to set aside, and everything that it did was subjected to suspicion.

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The Bank had branches throughout the country, at points of convenience where business centred. Friends of General Jackson complained that men openly opposed to them in every party interest were appointed officers of these branches, even in States which had cast their votes for General Jackson and the new regime; that loans were refused and collections insisted on in a way which was offensive to the partisans of the Administration; and that money was used in the elections against them. They were particularly indignant that Mr. Jeremiah Mason, an incorrigible Federalist, had been made president of the branch bank at Portsmouth, in New Hampshire, and had shown himself disinclined, as they had expected, to afford friends of General Jackson any unusual indulgence or accommodation in matters of business. Concrete cases fixed General Jackson's convictions in such matters as no argument upon the merits could fix them. Here was a very tangible example of what he had been led to suspect. The story came straight from friends whom he trusted,—from Mr. Levi Woodbury and Mr. Isaac Hill, the two men who had been chiefly instrumental, he had reason to believe, in winning New Hampshire over from the Federalist to the Jackson interest. Mr. Hill was editor of the New Hampshire Patriot, and had an editor's inside view of the politics he had had so large a share in shaping. He was also one of the officers of a bank at Concord which was operated under a charter from the State, and had a state banker's knowledge of what the branches of the Bank of the United States could do to dominate credit and control exchanges. Mr. Woodbury had been chosen a senator of the United States in 1825, and had from the first been received into the intimate counsels of the new President. Mr. Hill had left his bank and his paper in New Hampshire to put himself at the service of the Administration in Washington, and had become, as everybody knew, a member of the "Kitchen Cabinet." When such men told him of the influence of the Bank in New Hampshire, the President could but believe them. Mr. Kendall brought him the same report of its influence in Kentucky. It had undoubtedly, he said, spent money there to secure the success of Mr. Clay and the defeat of General Jackson.

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It seemed a significant thing that Jeremiah Mason should have been chosen for president of the branch bank at Portsmouth. He was unquestionably the political opponent whom the Jackson leaders in New Hampshire most feared, and had most reason to fear. His character gave him a very noble eminence; his extraordinary abilities as a debater and his exact knowledge as a lawyer gave him an instant hold upon every thoughtful audience. All the country knew how formidable Mr. Webster was in debate, and Mr. Webster ascribed no small part of his own power to the lessons he had learned when pitted against Mr. Mason at the bar.

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The President had no mind to let the case go unnoticed. Mr. Ingham, the Secretary of the Treasury, brought it to the attention of Mr. Biddle, the President of the Bank of the United States (1829), in a letter in which he frankly took it for granted that Mr. Mason had been appointed because of his hostility to General Jackson; plainly intimated that the whole object of the Bank's establishment and management had been to strengthen "the arm of wealth" in order to "counter-poise the influence of extended suffrage in the disposition of public affairs"; and urged that the Bank clear itself of the suspicion by drawing its officers and appointees from both political parties without discrimination. Mr. Biddle replied with natural indignation. It was easy to refute the charges made. In the particular case of the branch bank at Portsmouth the well known character of Mr. Mason made them ridiculous. It could be shown conclusively enough that, whatever party the officers of the Bank happened to be chosen from, its affairs were conducted in accordance with sound principles of business, and with no view to either giving or withholding favors upon political grounds. Mr. Biddle found no difficulty in framing a reply which should have convinced all candid men upon the main points at issue.

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He made a grave tactical blunder, none the less, in the tone and method of his defence. He knew the temper and susceptibilities of the men he was dealing with and the temper of opinion in the country as little as Mr. Clay did and the men who stood with Mr. Clay against the President in Congress. The warmth of Mr. Biddle's reply to the Secretary, however natural, was most impolitic; and he did not content himself with refutation, but went on to utter what seemed little less than a defiance. He reminded Mr. Ingham that the Bank of the United States, whatever its business connections with the federal government, was a private corporation, accountable to no one but its own directors for the conduct of its affairs. Mr. Ingham responded with a pointed threat. He reminded Mr. Biddle, in his turn, that the law by which the Bank was incorporated authorized the Secretary of the Treasury to withdraw the deposits of the United States when he deemed good cause for the withdrawal to exist.

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Mr. Ingham retired from the Treasury upon the reconstruction of the cabinet which followed the President's breach with Mr. Calhoun, and Mr Louis McLane, of Delaware, took his place (August 8, 1831), a man of better balance and more liberal spirit, trained in the older school of politics. In December, 1831, his report to Congress ran strongly and unmistakably in the Bank's favor, and it began to look as if the temper of the Administration had already cooled and altered in the needless quarrel, which was of its own making. But the friends of the Bank were not wise enough to let the matter drop. Its charter was safe at least until 1836, and General Jackson, they might have hoped, would learn the Bank's value by experience, should he remain President until then. But Mr. Clay advised that application be made at once for a renewal of the charter, while the houses certainly held a majority favorable to it; and the advice was imprudently taken. The matter was pressed at once, and in the summer of 1832 (June-July), during the session which immediately preceded the presidential election, a bill renewing the charter passed the Senate by a vote of 28 to 20, and the House by a vote of 109 to 76. It was a direct challenge, and General Jackson of course met it with a veto, delivered point-blank and without hesitation. The Bank's majorities in the houses were not large enough to pass the bill over the veto; and Clay men and Jackson men alike turned to the country for its verdict.

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The folly of staking the fortunes of the Bank against the popularity of General Jackson at the polls was quickly enough demonstrated. It was much easier for the mass of men who now held the votes of the country to believe the Bank a dangerous and corrupt monopoly than to understand the arguments of statesmen who argued of its services to the government and to commerce. They recognized General Jackson as a man of their own instincts, and deemed those instincts a sure enough guide in politics. Statesmen might approve of the Bank, but the people thought of it only to suspect it, and preferred General Jackson to all the statesmen the Bank could muster to its standards. A second time they chose General Jackson President. He interpreted their votes to mean a deliberate verdict against the Bank,—a command to destroy it; and its fate was sealed. The President proceeded with characteristic promptness and directness. He first turned to Congress (December, 1832), the very Congress which had passed the vetoed bill, and asked for an investigation, to ascertain whether it was still safe to leave the deposits of the government with the Bank, in view of its mismanagement and probable insolvency. No one but General Jackson and a handful of politicians about him seriously questioned the good management of the Bank or for a moment doubted its solvency, even then, with its charter evidently doomed; and the House very emphatically declared that in its opinion the deposits were safe. General Jackson, accordingly, determined to act without Congress and on his own responsibility. He resolved that the Bank should no longer be given the custody of the public funds.

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The statute under which the Bank was incorporated conferred the power to act in that matter, not upon the President, but upon the Secretary of the Treasury. The President therefore wrought his will upon the Treasury Department. Mr. McLane, whom he knew to be favorable to the Bank, he transferred from the secretaryship of the Treasury to the secretaryship of State, appointing Mr. Edward Livingston, then Secretary of State, minister to France, and putting Mr. William J. Duane, of Pennsylvania, who was known to be an opponent of the Bank, in charge of the Treasury Department. Mr. Duane showed unexpected scruples, and declined, out of a mere sense of duty, to make way for the execution of the President's radical plan. He was dismissed, therefore, within four months of his appointment, and the Treasury was put into the hands of Mr. Roger B. Taney, of Maryland, the Attorney General, whose views the President knew to be his own (September 23, 1833). An order from Mr. Taney forthwith directed (September 26) that the revenues thereafter accruing should be deposited, not with the Bank of the United States, but with certain state banks selected by the Secretary for the purpose, and that the balance of the government in the Bank of the United States, then nearly ten millions, should be drawn upon for the government's expenses until exhausted. The thing was done at infinite hazard of financial panic. The Bank was obliged to curtail its loans very sharply and at once, in order to bear the drain, which was to be offset by no replenishment; there was immediate distress in the money market, a sudden flutter of credit; and only the sound condition of business at the moment prevented crisis and disaster.

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The President spoke of the matter in his annual message with his usual intrepid frankness: took the whole responsibility for what had been done upon himself, and justified it. No one whose opinion was of any weight in such a matter had approved of the removal of the deposits; his own cabinet had been opposed to it, as both unwise and of doubtful legality, and had united with Mr. Duane in trying to turn him from his purpose; but he had gone his way without pause, hesitation, or excitement, like a man convinced and confident. He believed that the Bank had gone into politics to prevent his reelection, in 1832 if never before. Its directors admitted that large sums had been spent out of its funds for pamphlets, for speeches, for every legitimate means of agitation in the campaign, which it knew to be a struggle for its life; and the President, who, with Mr. Clay as ally for the nonce, had forced it thus to meet him in the field of party action, now declared that the issue had come to this, "whether the people of the United States were to govern through representatives chosen by their unbiassed suffrages, or whether the power and money of a great corporation were to be secretly exerted to influence their judgment and control their decisions." He made no scruple of the law in the case, deeming law meant for the service of the country.

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The new House of Representatives, elected in the autumn of 1832, was now controlled by his friends, and supported him. The Senate, on the contrary, still stood against him, led, as before, by Mr. Clay, Mr. Webster, and Mr. Calhoun; and spread upon its minutes a public and formal censure, in which it earnestly condemned both the dismissal of Mr. Duane and the removal of the deposits. General Jackson replied in an equally formal protest, which ran hot and imperious. It spoke his whole theory of constitutional obligation: his resolution to be bound by neither court nor senate, nor any precedent whatever, but only by his own conviction of duty as a representative of the people under the constitution. The contest was ended. The Bank of the United States quietly made ready for the expiration of its charter, and when it came (1836) accepted in its stead a charter from the State of Pennsylvania.

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But the effect of what the President had done had by no means passed or spent itself. General Jackson had said that the Bank of the United States did not give the country a stable currency. The country had an opportunity to see for itself what service it had rendered when its check was withdrawn. It was no sooner discredited than the old inflation of bank issues came again, with wider range and play of destructive force than ever. The "pet banks," as they were promptly dubbed, to which the deposits of the government had been transferred, were selected upon party principles,—were one and all "Democratic" banks in the South and West, whose directors were of the President's party. Their number was fixed by no law or principle, and began from the outset to be added to from time to time, as this, that, or the other influence of interest or persuasion obtained the patronage of the government for banks not at first favored with a place on the list. State banks saw their day come again. State legislatures multiplied banking charters without safeguard or limit. Every bank sought the government's favors; but none was discouraged because it did not obtain then. All banks were banks of issue. Those that did not have the government's money to lend loaned their own abundant notes. Paper money seemed to pour of a sudden from every town and hamlet, and speculation began to heap risk upon risk to make use of it. The real money centres of the country had little part or lot in the business. Enterprise ran freest where chiefly compounded of hope,—where the resources of the country, though unmistakably rich with every promise of abundant profit, were as yet undeveloped, awaiting the slow processes of industry. The bubble of credit glistened resplendent with all the hues of the round globe, until General Jackson himself, in his rough honesty, pricked it.

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The first strain and flurry came by reason of the mere superabundance of the national revenues. Business had been sound and prosperous until this new policy which upset the Bank came to disturb it, and the government had shared the profits of the merchant and the manufacturer. By the close of the year 1835 it was entirely free from debt. The revenues which filled its coffers could not be reduced: they came chiefly from the tariff duties as fixed by the compromise Act of 1833, and that was a pledge of peace between parties which no man cared to alter. Rather than keep surplus piling upon surplus, accordingly, Congress ordered (June, 1836) that on and after the first of the following January all surplus funds over and above five millions should be distributed, quarter by quarter, among the several States, as loans without interest which Congress might at its pleasure recall. Not a few of the pet banks found themselves considerably embarrassed to meet the drafts upon them by which the quarterly distributions were made; but the States found speculative schemes to put the money into quite as readily as individuals did; the movement of business was not disturbed; and before the year was out there were no more such disbursements to be feared. Only three quarterly payments were made,—a total of twenty-eight million dollars. After that there was no surplus to distribute. General Jackson had pricked the bubble.

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The President had a very sturdy and imperative sense of right and honesty in all money matters. He believed gold and silver to be "the true constitutional currency" of the country, he said. He demanded of the pet banks that they should keep specie enough to cover at least a third of their circulation, and that they should issue no notes of a lower value than twenty dollars. He increased the output of the mints and tried by every means to force coin into circulation. He had no idea of letting the country try again the fatal experiment of an irredeemable paper currency, if he could prevent it; and when he saw the fever rising in spite of him he tried a remedy as drastic and wilful as his destruction of the Bank of the United States. Speculation and hopeful enterprise had had an extraordinary effect upon the sale of the public lands. In 1834 the government had received less than five millions from that source. In 1835 the sum sprang up to more than fourteen millions, and in 1836 to nearly twenty-five millions; and the money poured in, not, of course, in gold and silver, but in the depreciated currency of innumerable unknown banks. The Treasury was forbidden by statute to receive any notes but those of specie paying banks; but things had by that time already come to such a pass that no man could certainly or safely distinguish the banks which really kept a specie reserve from those which only pretended to do so. On July 11, 1836, accordingly, by the President's command, a circular issued from the Treasury directing the land agents of the government to accept nothing but gold or silver in payment for public lands. Again, as in the case of the Bank, the President's advisers drew back and disapproved; but again he assumed the full authority and responsibility of his sovereign office, and delivered his blow without hesitation or misgiving.

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The effect was to shatter the whole fabric of credit. But the consequences did not disclose themselves at once. General Jackson had retired from public life and Mr. Van Buren had succeeded him in the presidency (March, 1837) before the inevitable day of disaster and collapse had visibly come. The imperious old man must have looked back with not a little satisfaction upon the long series of personal triumphs he had won, against trained statesmen and old parties intrenched against him. Even in diplomacy his energy and prompt initiative had won him successes denied to his predecessors. He had sent Mr. McLane to England to say that all our restrictions upon the carrying trade of England would be repealed if England would remove those which she had put upon the carrying trade of the United States in the West Indies; and the ports which had been shut in the faces of Mr. Gallatin and Mr. Adams were opened to him, Congress promptly fulfilling his promise with regard to the action of the United States (May 29, 1830). He pressed upon the new government of Louis Philippe in France, and upon the other governments as well which had been at fault in the matter, the claims of the United States for depredations unlawfully committed upon American commerce during the Napoleonic wars; and the claims were recognized and paid. He moved straight and openly upon every object he desire, and his very directness seemed to add dignity and scope to the government over which he presided. He had created a party and put subtle revolution into affairs by sheer force of individual quality, and left his great place and office before either he or the men who loved and followed him were aware what mischief he had unwittingly done,—how the whole framework of settled politics had been shaken and loosened at every joint by his wilful supremacy.

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General Jackson had obliged his followers to accept Mr. Van Buren as his successor in the presidency: they were dominated by his will in this as in all things. The convention which nominated Mr. Van Buren had met a full year and a half before the election (May, 1835), while the power of the indomitable President was at its mid-term vigor; had been irregularly made up, its ranks crowded with men who held office under the President; and signs of faction and revolt had not been wanting. The country had chosen lukewarmly, too, the man whom the party had named perfunctorily. His majority in the electoral college had been but 47, as against General Jackson's majority of 152 four years before; his popular majority only 26,000, as against General Jackson's 157,000. The opposition had lacked unity and organization; hardly constituted a party at all; consisted, rather, of various groups of several shades of opinion; and put several candidates into the field: General William Henry Harrison, of Ohio, Mr. Webster, and Judge Hugh L. White, of Tennessee, for whom Tennessee voted, General Jackson notwithstanding. But, rank and file, the Democrats had stood by Mr. Van Buren. In him they acknowledged their debt and allegiance to General Jackson.

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Not a little strength of character underlay Mr. Van Buren's bland exterior, his conciliating manners, his air of sweet accommodation. He was also, in his way, a consummate master of men. He mastered them by insight, by intimate and friendly counsel, and by knowing the end he sought. But he did not rule or dominate by force of will. That slender little gentleman, always courteous, always placid, always ready to listen, and wait to have his way, could not hold or rule the imagination as the rugged veteran did who had preceded him, tall, gaunt, sad-faced, majestic, carrying fire, gracious and grim by turns. The country regarded its new, soft-spoken President much as an audience would regard a bland, mellow-voiced, facile player brought on as understudy to some intense tragedian; was slow to take him seriously, slow to be convinced that he had an individuality and a power of his own. He seemed tacitly to promise in everything that he said that at every point of policy his administration should be but a continuation of what his predecessor had begun; and men looked on with curiosity rather than with sympathy, were more ready to criticise than to applaud.

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While Jackson reigned he had seemed rather the maker than the representative of policy, and the Democratic party had been with difficulty discernible behind his stalwart figure, standing always at the front of the stage. Now at last it entered the play, as itself an independent and originative force in affairs, the President merely one of its leaders. The revolution wrought in political action by the coming in of General Jackson had fairly shaken parties asunder. Through-out his administration they had sought rather than obtained a new order and cohesion. The "National Republicans," who had stood with Mr. Adams and Mr. Clay, had been even when at their strongest something less than a national party. Adherents had come and gone while the fighting thickened about General Jackson in Senate and House. When Mr. Van Buren became President they were still, if separately distinguishable at all, only the chief group among many groups combined in opposition. The Democrats were at last a veritable party; Mr. Clay's friends were only part of a party. Not until 1834 did the grouped Opposition of which they formed the centre acquire a party name, or begin to arrange the definite concerts of party action. By the summer of 1834 they were coming to be spoken of very generally as "Whigs." National Republicans; Anti-Masons; men who thought that South Carolina had been too harshly dealt with, to the detriment of constitutional state rights; men who condemned Jackson's high-handed way in the matter of the deposits, "the immolation of Duane and the subserviency of Taney"; all who were startled to see how of a sudden a President had made himself as it were the master of the government, drew slowly together, and a great party was created. Insensibly, when power came to it, and the heartening breath of success, it reproduced the principles and spirit of the Federalists: their liberal way of interpreting the constitutional powers of the government, their confident enterprise in pushing forward to new programmes of action and putting the government at the front of the nation at every step of its progress, their belief in constructive statesmanship and the efficacy of legislation in the development and determination of the country's life. But for the present it was merely a party of opposition, set over against the Democrats, who were in charge of the government and yet did nothing: did nothing, apparently, upon principle. General Jackson had in fact carried the government back to the principles of Mr. Jefferson, as his friends had said that he would: had squared its action with those principles more perfectly a great deal than Mr. Jefferson himself had done. His intense and aggressive activity in affairs had obscured the fact while his personal power lasted; but he had spent his telling energy upon clearing the field of what his predecessors had constructed,—not upon making but upon setting aside; and he left a party behind him which had imbibed his spirit: which desired no new era of Federalistic policy; which wished to see the field kept clear of unnecessary laws and fostered institutions, of great corporations created for the use of the government and favored enterprises subsidized in the interest of a class; which desired to see authority used, not to patronize or foster, but only to give the government the necessary force and to administer it with a wise and honest moderation, while all things went their natural course, unpetted and unhampered.

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It faced a crisis with principles negative and opposed to action, and yet faced it undaunted, advocating only a safe withdrawal of the government from the field of danger. Within two months after Mr. Van Buren's inauguration General Jackson's "specie circular" had done its work. A sharp financial crisis racked the business of the country from end to end, and brought with it a panic stubborn and hopeless, which seemed for months together as if it had come to stay. It had been strain enough that the money market had had to accommodate itself to the preparations of the Bank of the United States for the winding up of its business, and to the distribution of the surplus among the States. There had been a rapid increase, besides, in the volume of imports since 1832, and considerable sums of specie had had to be sent out of the country to meet the balances of international trade. The specie circular had come with cruel opportuneness. Bankers and borrowers alike had been reckless; credit was already out of breath. When the great sums of paper that had gone west for the purchase of lands from the government came suddenly back by the hundreds of thousands for redemption there was instant collapse and panic. Most of the banks had no specie and were utterly unprepared to redeem their notes; those that had specie could afford no relief,—had themselves too little to take care of their own notes. There was a universal suspension of specie payments, and credit was dead at a stroke. There had been signs enough of what was about to happen before the end came. A feverish rise in prices had preceded it. The price of flour, which had been but five dollars in 1834, had shot up to eleven dollars per barrel during those first uneasy months of 1837; the price of corn had risen from fifty-three cents per bushel to a dollar and fifteen cents; and in February and March there had been bread riots in New York.

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On May 15th the President issued a call for an extra session of Congress, to be convened on the first Monday of September. He had, it turned out, nothing to propose except that the interests of the government should be looked to. The pet banks had gone down with the rest, and it was necessary that the government should secure its revenues. Mr. Van Buren had no thought of receding from the policy of the specie circular; on the contrary, he had himself amidst the very signs of acute and increasing distress, issued a similar order with regard to the transactions of the Post Office. He stood stubbornly for specie payments, banks or no banks, and had aggressive spokesmen at his back in Congress: notably Mr. Wright and Mr. Benton in the Senate. Mr. Silas Wright, of New York, was the President's close friend, in politics and out of it; had been bred in the same school of politicians; had the same astuteness in policy, and was yet, like Mr. Van Buren himself, steadfast in the maintenance of such principles as he saw and believed in. He was of the school of those who fought for party success and studied the subtle art of party management. He was no student of principles—a politician of the new day, rather; but honest and ready to act upon conviction. He believed, as all Democrats of the new cast did, that the offices of the government belonged to the majority, as "the spoils of victory"; but he avowed the belief with no touch of cynicism,—with the naturalness, rather, and unaffected candor with which a man avows principles he sees no need to be ashamed of; and he could, with equal naturalness and honesty, now bring forth out of his singular assortment of motives, as politician and yet as statesman too, a stern faith in the honesty and necessity of "hard money." Mr. Benton was no partisan of the administration: he was too intense an egotist to be any President's personal adherent or spokesman. But he, almost alone amongst public men of experience, had encouraged General Jackson to put forth the specie order; and he was now ready to give the administration his hearty support in the maintenance, so far as the government was concerned, of specie payments.

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The President and his spokesmen had nothing to propose for the relief of business. He believed, as Mr. Calhoun did, that palliatives would only prolong the unavoidable misery of readjustment and the return to sound methods of business, the substitution of real for fictitious values and of production for speculation, and that, bad as they were, things would right themselves more quickly and more wholesomely without the intervention of legislation than by means of it. His plan was, to cut once for all the connection of the government with the banks, and provide for the custody, handling, and disbursement of the revenues by the Treasury alone. For three years, through two Congresses, he fought doggedly for his purpose; and won at last in midsummer, 1840. Then he got exactly what he wanted. An "Independent Treasury Act," signed July 4, 1840, provided that the Treasury of the United States should itself supply vaults and places of deposit for the revenues, at Washington and at other cities appointed for their receipt; that all federal officers charged with their receipt, safe keeping, or disbursement should be put under proper and sufficient bonds for their careful and honest use and custody; and that all payments thereafter made either to or by the United States should be made in gold or silver only. It had not been possible to bring the first Congress of Mr. Van Buren's term to accept this scheme. Twice adopted by the Senate, now at last Democratic, it had been twice rejected by the House, where a section of the Democratic majority united with the Whigs to defeat it. Meanwhile the President had been obliged to do without law what he wished Congress to authorize by law. The banks of deposit had suspended payment; there was nothing to be done but to direct the agents of the Treasury to keep and account for as best they could the moneys which came into their hands.

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Meanwhile, too, the country went staggering and bewildered through its season of bitter ruin. There had been nothing like it before in all the history of business in America. Utter collapse and despair came, soon or late, upon every sort of undertaking the year through. Radically unsound banking laws in the States had been at the bottom of all that had happened to bring disaster on; and yet no one could reasonably wonder at the hopes and schemes which had bred that swift and fatal fever of speculation. Abounding wealth unquestionably awaited the enterprise and industry which should develop the rich valleys of the West, plant productive communities there, and unite East and West by road and river; and means of quick development had at last been found which promised fulfilment of every dream within a single life-time,—it might be within a single decade,—who could tell? It seemed as if, in this very decade of Jackson's reign and the new democracy, the world had hit upon ways of almost instant increase of wealth and power, where resources were at hand, virgin and inexhaustible. It was then that railways began to be built and steam boats put upon the rivers; and the great spaces of the continent began to seem no longer insuperable obstacles to the growth men had dreamed of and strained after ever since the landing at Jamestown. Robert Fulton had put a successful steam boat on the Hudson as long ago as 1807; but until now steam craft had seemed hardly more than novel conveniences, to be experimented with. Now at last they began to be built in numbers sufficient to quicken and facilitate enterprise and settlement. Railways seemed to spring suddenly into existence, to serve the same end. In 1830 there were but twenty-three miles of rail in the country: a short road here and there for cars drawn by horses. But presently steam was brought into use for the propulsion of cars also; and within five years (1835) no less than thirty million dollars had been invested in railroads. Before the crisis of 1837 came more than fourteen hundred miles of railways had been constructed; and by the time Mr. Van Buren went out of office (1841) there were more than three thousand, the crisis notwithstanding.

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Invention seemed to awake on every hand, and was not a whit daunted by the state of the money market. In 1834 Cyrus Hall McCormick had invented a reaper, to be drawn by horses, which once for all solved and simplified the problem how the great plains and wide valleys of the West were to be brought under cultivation by a sparse pioneer population, where hands were few. In 1836 means were found by which the great anthracite coal beds of the country could be used in the production of steam and in the manufacture of iron. Along with the utilization of the new fuel came the invention of the screw propeller. By 1838 the invention had been fairly perfected, and it had become reasonably certain that steam craft upon the ocean would draw the continents of the world together as steam craft upon the rivers and locomotives upon the railways were uniting East and West in America. In 1839 James Nasmyth, at Manchester, invented the steam hammer whose use was presently to increase so enormously the power and resources of the iron forges from which the new machinery of conquest and manufacture was pouring forth.

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Here were the instruments of industry and of real production upon which imagination dwelt and speculation based its hopes. Real wealth was being created apace, and nothing was too extravagant to hope for. More eager movements of population went with hope and enterprise, and a very ferment of social and economic change. With the growth of manufacturing industries came concentration also. Towns began to grow into cities. Enterprise took on a new magnitude, individual initiative was a little daunted, and corporations began to be multiplied. Finding themselves massed in the new undertakings, finding their employers, not individuals, but groups of men using their combined capital upon a large scale, workmen and mechanics began to draw together into protective organizations;and new murmurs against "capital, banks, and monopolies" disturbed the peace alike of philanthropists and of politicians. The rural nation which had chosen General Jackson to be its leader began to be transformed even while he reigned most of all in the East, where industry was chiefly seated, but in the West also, where men of every section met, and moved with quickened pace towards new objects and new developments till then not dreamed of. New ambitions stirred everywhere, and men's very manners were changed with the new haste and energy that swept them on.

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Men's minds and consciences were stirred, also, by the pungent airs of the new age. Not in America only, but throughout the whole European world also of which she was an outlying settlement, the attention of thinking men was set upon new thoughts in that day of change. The year 1830 had seen political and social revolution sweep to and fro, hardly to be checked, upon the troubled European stage. England had managed, as always, to be beforehand with revolution, but only by making many a radical change in her laws. Between 1828 and 1836 she repealed the Corporation and Test Acts, removed many of the political disabilities of Roman Catholics, reformed representation in Parliament, abolished slavery in her colonies, bettered her system of poor relief, framed a liberal code for the reconstitution of municipal corporations, and abolished tithes. In the United States there was none of these things except slavery to be cleared away. State and federal constitutions alike had been purged from the first of all that could clog or embarrass progress. American philanthropists, too, had been beforehand with the rest of the world in many a work of humanity and mercy. The fame of America's reformed penitentiary system had crossed the seas; and in 1831 Alexis de Tocqueville and Auguste Beauluont had come to the United States to report upon the system for the information of their government. It was that visit which gave us de Tocqueville's inimitable Democracy in America.

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The abolition of slavery in the British empire in 1833 brought poignantly home to some men in the United States the one matter in which America was behind all the world. It was in 1833 that the American Anti-Slavery Society was formed, at Philadelphia. Not many connected themselves with it. Slavery was rooted deep in the whole economy of the South; the constitution of the Union itself was founded upon arrangements which took the permanence of slavery for granted; and no man who was not of hot crusading temper felt inclined to give any countenance to a movement which might, if pushed far enough, shake the very foundations of the government. But the few who gave themselves to the agitation were of crusading temper. Here and there throughout the country, moreover, there were bodies of men, like the Quakers, whose principles had time out of mind been of this tenor, and who became at once their natural allies. Petitions began to pour into Congress praying that it would abolish slavery in the District of Columbia, prohibit the slave trade there, and break up the slave trade between the States. John Quincy Adams had entered the House of Representatives in 1831, only two years after he left the White House, as a representative of the Anti-Masons and Whigs of his home. A sturdy and striking figure he made, with all the dignity and all the contentious strength of his sixty-four years upon him; and it surprised no one, least of all his constituents at home, that he championed what he pleased, without respect of parties. It was he who presented the petitions against slavery and stood mettlesome and unalarmed amidst the wordy battles they brought on.

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It was a deeply hazardous and ominous thing to join issue thus, though it were only upon a petition here and there, with regard to this central matter of the whole South's life. The South still stood unchanged. No revolution of industry, no breath of speculation, no plotting or building of railways, no steam craft at her ports or on her rivers touched or altered her fixed order of society. Some of the first railways built were built in the South. Her merchants felt the impulse and saw the outlook of the time as others did. But no power from without, no alteration of the world beyond her borders, could change her economic and social order so long as slavery lasted. There was no aristocracy in the South of the kind men commonly think of when they use the word. There was a ruling race and a subject race; there were rich men and poor among the race that ruled; there went with wealth a certain ease and expansiveness of living, a good deal of quiet leisure, an old-fashioned grace and punctiliousness of manner which gave to those who cultivated it an air of exclusiveness and elevation. Young men were apt to be arrogant and to have their fling in the world of pleasure, and old men showed sometimes a lofty pride of birth and position. But there was little display. Wealth did not in that agricultural region mean abundant money, but only full store-houses, a well stocked stable, an unstinted table, plain comfort, and open-handed hospitality. In politics the ruling race were as democratic as men of their kind anywhere. All white men had an equal footing of privilege there and an equal freedom, though offices fell as often to men of position whom fortune had put at the front as to men who had made their way up from the ranks and men who added ambition and initiative to ability.

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Mississippi and Alabama were still new States upon a frontier, and grew rapidly in population. Georgia, too, added slowly to her population from decade to decade, adding also to her industries and profiting as she could by the new forces of the age. But Virginia and the Carolinas grew scarcely at all. And so the South stood apart, potent and alive and yet immobile. Though she provoked attack, she was intrenched against it.

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It was singular how the signs multiplied of change and a new age coming in. A whole generation of new writers came suddenly into prominence during those first years of railways and steam craft (1828-1841): Hawthorne, Poe, Whittier, Longfellow, Emerson, Lowell, Holmes, Prescott, Bancroft; Mr. Justice Story and Mr. Justice Kent; Henry Wheaton, Francis Lieber, Henry C. Carey; John James Audubon and Asa Gray,—men of letters, law writers, publicists, economists, men of science. Poe and Audubon were of the South; the rest were of the North, where leisure was coming with increase of wealth, stimulation of thought with increase of action. "You are a new era, my man, in your huge country," wrote Carlyle to Emerson. In the South writers still bent all their thoughts upon statesmanship and the control of public policy; read old books and maintained an elder taste; made cultivation a thing of quiet moments or of the delights of conversation, and carried it forth into the open arena only as an instrument of power.

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Every change seemed sensibly to increase the sweep and ascendency of pure democracy and visibly to enhance the power of the general opinion. By the close of General Jackson's presidency there was no longer any property qualification anywhere required in the North for the exercise of the suffrage except in Connecticut and New Jersey, or anywhere in the West except in Ohio. The people's day had come; the people's eyes were upon everything, and were used in a temper of criticism and mastery. Newspapers of a new type sprang up, like the Sun and the Herald, every number of which gave old gentlemen in New York a shock, which pried into everything and told everything, whether it concerned private individuals or public events. The upturning General Jackson had brought upon the government was beginning to come also upon society.

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How serious the upturning had been in the administration of the government the country learned while Mr. Van Buren was President; and the discredit for what General Jackson had done fell upon him. The men whom General Jackson had put out of office had too often carried away with them the business methods of their Departments. The men who had succeeded them, always new and raw at their tasks, were too often incompetent also, and sometimes showed the cunning and dishonesty of men who seek the "spoils of office" for their own aggrandizement. It was Mr. Van Buren's misfortune that no discovery was made of the jobbery and misfeasance that had crept into the Departments until he became President. The "spoils" system, moreover, was commonly believed to have been the bad invention of his own school of politicians in New York. He attempted no concealments; no one was shielded or excused when discovery was made; but he got no credit for that. Everything that came to light was but confirmation added to the conviction of the country that both he and his party had best be got rid of. The Whigs were eager to give legislative assistance to the country in its efforts to rally from the collapse of 1837; the Democrats offered nothing but the Independent Treasury-were very fine and steadfast in their determination to take nothing but "sound" money into the Treasury, but offered no suggestion as to where the sound money was to come from, or how business was again to be founded on it.

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The States were left to work that problem out for themselves, if legislation were needed; and a very wholesome change began. The legislatures of the States set themselves at last to require real securities of the banks of issue which they chartered, New York leading the way; and by slow degrees credit was re-established, panic shaken off. But the Democrats gained nothing by the circumstance as a national party. They seemed to have lost initiative when they lost General Jackson. Mr. Van Buren had handled such diplomatic matters as fell to his management with prudence and good judgment. A final reckoning with the Seminole Indians of Florida had been brought to a successful close while he governed, and a serious boundary dispute with Great Britain had been accommodated, notwithstanding very distracting complications which had arisen out of attempts on the part of lawless men in the United States to assist insurgents who were openly in arms against the English crown in Canada. But only the irritating details of these matters were talked about. Nothing large or masterful filled the eye or stirred the general sympathy either in the President or in the men who spoke and acted for him in Congress; and the whole country turned to the Whigs for a change.

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The Democrats nominated Mr. Van Buren for a second term and avowed all their negative principles in a candid platform. The Whigs, now at last welded into something like a united and aggressive party, nominated General Harrison, for whom most of them had voted four years before, for President, and for Vice President Mr. John Tyler, of Virginia. They made no declaration of principles whatever, but proposed only to oust the Democrats. The country was willing. General Harrison was the hero of a well remembered battle in which the redoubtable Tippecanoe, the "Prophet" of the Indians who hung upon the northwestern frontiers, had been routed, in 1811, and the western country quieted and made safe. He had himself been dubbed "Tippecanoe," and men everywhere were ready to shout very lustily for "Tippecanoe and Tyler too." The Democrats had no enthusiasm with which to match this for the old soldier and honorable gentleman of the elder type whom their opponents had chosen as their candidate; had only their dimmed record to speak of; and lost overwhelmingly. General Harrison, it is true, got but forty-six thousand votes more than Mr. Van Buren received out of a total of nearly two and a half millions; but, though his margins were slender, counting by voters, he won in the electoral college by a majority of one hundred and seventy-four out of a total of two hundred and ninety-four (234-60). The Whigs saw their day dawn at last, and the Jacksonian regime was over.

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The authorities and sources for the events of this chapter are the same as those named under Chapter II. The following special authorities should, however, be added: the second volume of Albert S. Bolles's Financial History of the United States; Richard Hildreth's Banks, Banking, and Paper Currency; William G. Sumner's History of American Currency; Edward G. Bourne's Surplus Revenue of 1837; Goddard's Bank of the United States; C. F. Dunbar's Laws Relating to Finance; Shosuke Sato's Land Question in the fourth volume of the Johns Hopkins Studies in Historical and Political Science; and Samuel Tyler's Life of Roger B. Taney.

Chapter 3:

The Extension of Slavery

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IT remained to be seen whether the forces bred in the Jacksonian time were also spent and gone, with the passing from office of the men who had personified them. It was difficult to reason upon cause and effect amidst such scenes of change. Unquestionably a veritable revolution had been wrought in American politics and social action while Jackson and his partisans ruled in affairs; but who could say whether these men had been products or causes of that revolution? No doubt there had been an air of lawlessness in the headstrong action of the uncompromising, frontier soldier who had been President. The fruit of his rough handling had shown itself obviously enough during the mild reign of his lieutenant and successor. And the country had seemed to take its cue from General Jackson. Riot and brawling disorder had everywhere been thrust into affairs with unexampled boldness, success, immunity from punishment. Headstrong men sought everywhere to take the law into their own hands and do what seemed best in their own eyes used force to win strikes against their employers, to carry elections, to silence abolitionist agitators and drive free negroes out of the cities, to destroy the power of the Roman Catholics coming in at the ports, to punish offences which the courts too slowly dealt with or let go by, to get food when prices rose too high. Men fought in armed bands in city streets because they were of opposite religious creeds or rival political factions or antagonistic races, the native against the immigrant, the Protestant against the Roman Catholic. On a memorable night in August, 1834, an Ursuline convent in Charlestown, within sight of the rising shaft on Bunker Hill which was to mark the dawn of liberty in America, had been sacked and put to the torch, because of the rage of a Protestant mob against the growing power of the Romish church, coining in with the Irish immigrants; and the officers of the town had stood inactive by.

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No man could justly say that General Jackson stood for such things. He kept the law, as he understood it, very punctiliously and with a fine sense of honor, and made others keep it also. His challenge was only to those who opposed him in matters of policy or in the application of law, or sought to put upon him the too formal restraints of judicial decision. Those who judged calmly of affairs saw alike in him and in the uneasy disorders of the time only signs of one and the same thing. In the new democracy which Jackson represented the mass of common men took leave to assert themselves in all things, and use their own standards of right; brushed law aside upon occasion to get at their object; sought to rectify abuses by direct blows of force,—the force of voting numbers or the force of arms. No doubt riots grew more common in Jackson's second term than they had been in his first, and seemed to keep pace with his fight against the Bank, his arbitrary use of authority in reaching his ends concerning it, his ruthless dealings with the credit of the country. No doubt, too, his friends and partisans spoke too foolishly and too much like demagogues of "the natural hatred of the poor to the rich." But great economic forces moved also with equal pace towards change and disturbance. The relations of capital and labor were altered, whether General Jackson acted or not; prices rose and wages shifted by laws he did not understand. Railways changed the course and the speed of the nation's life; enterprise set men's minds upon every bold adventure; men of every kind flung conservatism off and became radical, reckless, ungoverned in action. Cause and effect were not in such a day to be easily distinguished. No one could say what was permanent, what merely temporary and accidental in the new and novel order. One thing only was evident, that a new and irregular fervor and a new standard of action had been brought into affairs.

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The Whigs themselves had conformed. They had come into power in masquerade. Instead of putting one of their real leaders forward for the presidency, they had nominated a western soldier, whose rugged strength and simple claim upon the admiration of the country had made him a popular favorite. They had themselves played the role of a reforming Opposition merely, whose mission it was to turn a company of sophisticated politicians out of office, with all their corrupt and incapable following, and put a simple man of the people in,—a Whig Jackson. Their campaign had been conducted without serious debate or proposals of policy; had been a mere noisy round of torch-light processions, merry-making barbecues, and boisterous neighborhood rallies. Their emblem had been the frontier log cabin and a keg of hard cider, the solacing drink of the frontiersman. It was a masquerade of pure democracy, in the new taste, and they had played it out to perfection.

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But when the election was over and they had won, the costumes of the play were put by. At last they were assured of majorities in both houses of Congress; small majorities, indeed,—in the House, twenty-five, in the Senate, six,—an uncomfortable reminder of the narrow margin of votes by which they had won; but a working majority, none the less; and the real leaders of the party, once more free to speak their serious purposes, came forward with the programme by which they meant to carry the government back to the traditions which the Democrats had ruthlessly broken.

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That programme included the repeal of the Independent Treasury Act, the establishment of a new national bank, the authorization of an immediate loan for the relief of the Treasury, a system of new tariff duties to supply the government with a permanent revenue, and the distribution among the States of the proceeds of the sales of the public lands. The financial distress of the time had touched the government somewhat sharply, and General Harrison's first act was to summon Congress to meet in extraordinary session on the last day of May, to consider measures of relief.

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But before it could assemble he was dead, and every plan at which he was to have assisted had fallen into confusion. The excitement and the fatigues of the campaign for the presidency, capped by the infinite worry and exhaustion that came upon him like a flood when hordes of office seekers and advisers began to crowd about him after his election and induction into office, proved too much for his strength at sixty-eight. He suddenly sickened, and exactly one month after his inauguration (April 4, 1841) was dead.

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John Tyler was President, to whom no Whig had looked for leadership. He was a southern Democrat; had been opposed to the Bank upon principles of public policy, as General Jackson had been, but had held off from his leader in the matter of the deposits and had disapproved his reckless blows at credit, no less than his masterful attitude towards Mr. Calhoun and the doctrines held in South Carolina; and had been named Vice President with General Harrison only because Whigs of Mr. Clay's stamp knew that they had in their following many men who were not in all matters of their way of thinking, and were uneasily aware that their party was but a conglomerate party of opposition, to which the votes of such discontented or independent southern Democrats as Mr. Tyler would be very serviceable. And so the masquerade of the campaign had had a touch of prophecy in it, after all: here were the triumphant Whigs with a Democratic President!

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Their programme, of course, hopelessly miscarried. Mr. Tyler felt very keenly the delicacy of his position, and the almost necessarily compromising character of the middle course he felt bound to attempt. Nature and habit forbade him the frank, straightforward, unhesitating course which alone could have won him prestige and credit. He had neither initiative nor audacity enough for leadership; tried soft-spoken diplomacy where he should have used candid avowals of his real opinion; courted compromise and accommodation only to reject them at last; insisted upon his own views only after he had created the impression that he would yield them; seemed false and insincere because he parleyed so long before taking his stand; and pleased no one, not even himself. He had been glad to see the Bank's charter expire in 1836, and did not wish to see the Bank re-established now; but the Whig leaders were his advisers; he felt and showed a real desire to yield everything he could that stood in the way of their plans. Conference followed conference in the matter of the Bank, for upon that everything hinged; twice he seemed about to meet their wishes; twice he failed them. A bill was drawn and passed in which several features of the old charter were modified to suit his views, but he vetoed it (August 16, 1842). Another bill was drawn and passed which made concessions still more radical to his scruples, but again he vetoed it (September 9th). Each time he hesitated; each time his friends said that he would sign the bill; each time he fell back at the moment of final action, as was his wont, upon his real convictions.

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The Whigs in Congress were inexpressibly chagrined and exasperated; publicly declared, with an unmistakable note of passion, that "all political connection between them and John Tyler was at an end from that day forth"; and sullenly saved such remnants of their programme as they could. Even before the open breach came the leaders of the party had drawn away from him, and he had been cut off from all real intimacy of counsel with the men whom Congress heeded. General Harrison had associated with himself a cabinet made up of men who were known to be accredited spokesmen of the party, making Mr. Webster, whom half the country regarded as the greatest of Whigs, his Secretary of State; and Mr. Tyler, sincerely desirous of making as slight a break as possible in the continuity of the party's policy, had asked these gentlemen to retain their places. But even before his final veto of the Bank bill they had found it impossible to regard themselves as really in his confidence. By the middle of September, 1841, all of them had withdrawn except Mr. Webster, who remained only until important negotiations with England touching the northeastern boundary should have been brought to a successful issue. The Whigs had in effect withdrawn their hands from the Executive. Not only was the President's leadership gone, but the best traditions the Whig leaders stood for, of a policy which joined Congress and the Executive under a common leadership, were broken, and affairs were set adrift to take the chance currents of politics.

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The President signed the bill for the repeal of the Independent Treasury Act, consented to the necessary loan and to the changes in the tariff which had been planned, and agreed to the distribution among the States of the moneys received from sales of the public lands. But, without the bank, these measures lacked all constructive efficiency. The Independent Treasury arrangements having been set aside, and no other fiscal agency having been provided or authorized, the way in which the revenues should be kept and handled was left entirely to the discretion of the Treasury, without guidance or restraint of law, throughout all the rest of Mr. Tyler's administration.

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The Whig tariff Act was passed at the regular session of 1841-1842. It incontinently upset the compromise arrangements of 1833. The Act of 1833 had provided for a progressive reduction in the rates of duty which should be complete by the first of July, 1842, when the rates should have reached a uniform level of twenty percent. The Whigs suffered them to stay at that level only two months. On and after the first of September following, it was enacted, the rates were to be increased again, for the sake of the revenue. Twice the President vetoed the bill, because of provisions contained in it of which he did not approve. It was passed a third time, without the provisions he objected to, and he signed it.

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From the outset, so soon as the democratic masquerade with which they had come in was over, opinion had run against the Whigs. So early as the autumn of 1841 local elections had begun to go against them in States which they had but just now carried for General Harrison; and the mid-term elections of 1842 swept away their majority in the House of Representatives. It had been but twenty-five; it was supplanted now by a Democratic majority of sixty-one,—a loss of forty-three seats. The Senate they still held by a narrow margin; but, without the House, they could do nothing of consequence. Their dream of reconstructing the old regime from which the Democrats had torn the country away was rudely dissipated.

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The Whig leaders were now to find out what changes of politics had come to stay. They had not perceived that what they had witnessed under General Jackson was not a temporary madness of reaction against the statesmanship and the ideals of the generation which had given the nation its first form and policy, but a permanent shifting of points of view, for men in office and out, a turning away once and for all from the old to new questions that went with the making of the nation. Whether they would or no, they were in the hands of the new democracy, their fortunes as a party committed to the swift changes of the passing time. Important as the matters were with which they dealt, their programme had been a programme of old questions, not of new. Change worked too swiftly now to make it any longer possible for any party, however led or constituted, to hark back to the policy of a time twelve years gone by. There had been transient humors, no doubt, as well as permanent alterations of fortune, in Jackson's day: things which came with the heady excitements of the time and sank away again as affairs steadied to the new order. But, though passions subsided and hasty errors fell away from men s thoughts as the air cooled and cleared, all things kept their new face, and the reckonings of politics could no more be forced back to their old scale than the reckonings of trade or the operations of credit. It was made evident enough while Mr. Tyler sat out his unexpected presidency that the questions which cried for settlement were no longer questions of banking and currency, or even questions of tariff, but the fundamental institutional choices of mere growth: the questions which went inevitably with the setting up of every new State and the occupation of every new piece of territory.

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It was this making and remaking of the country that had upset the old order of politics and brought the ill-tempered airs of the West into all forecasts of the political weather. Half the economic questions of that day of change took their magnitude and significance from the westward expansion. It was in the new regions of the country, with their undeveloped riches inflaming the imagination, that speculation ran its reckless course with the most incorrigible hardihood. Railways outran population and failed as investments because settlement spread rather than compacted. Statesmen had always to be studying some law of growth, checking or indulging some wild adventure of enterprise. And there was in the midst of all a fundamental choice which did not alter like the rest.

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The chief choice always to be made at every stage of the unhalting westward movement was the, choice concerning slavery: the choice which had been debated very temperately at first when the great Ordinance for the government of the Northwest Territory was adopted in the days of the Confederation, but which had struck many a spark of passion out when handled again at the admission of Missouri into the Union, and which seemed every time it was touched more dangerous and disturbing than before. Now it seemed to lie everywhere at the front of affairs,—not the question of the abolition of slavery, but the question of its territorial extension. The men who had formed the Anti-Slavery Society were frank abolitionists; demanded much more than the mere limitation of the area of slavery; set themselves to make sentiment for its absolute destruction. But their ranks were sparsely filled, and their agitations did little but offend a practical, law-abiding people. Every man who knew aught of affairs knew the tenor of the constitution in that matter. Slavery within the States which were already members of the Union was an institution with which the federal government could have nothing to do, which no opinion even could touch or alter save the opinion of the States concerned: a question of domestic law in respect of which the choice of each little commonwealth was sovereign and final. Had the full roster of the States been made up, agitators in Congress would have found themselves obliged to confine their attacks to the slave trade in the District of Columbia and the commerce in slaves between the States. But the full roster of the States was not made up: all the great Louisiana purchase remained to be filled with them; and with the making of every community there must come again this question of the freedom of labor or the extension of slavery. The fateful choice was always making and to be made.

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The Whig leaders were profoundly disturbed to see it thrust forward in very practical shape, made a thing to be faced squarely and at once, by the President whom they had undesignedly put into office. In April, 1844, Mr Tyler sent to the Senate a treaty of annexation which he had negotiated with Texas. Secret negotiations, a piece of business privately carried to completion and made public only when finished, suited well with the President's temper and way of action. A man naturally secretive, naturally fond, not of concealments, but of quiet and subtile management, not insincere, but indirect in his ways of approach, he relished statecraft of this sort, and no doubt liked the Texan business all the better because it seemed to demand, in its very nature, a delicate and private handling. The Senate rejected the treaty by the very decisive vote of 16 to 35, men of both parties alike deeply irritated that the President should spring this weighty matter upon the country in such a fashion, taking no counsel beforehand save such as he chose to take. But the question, once put definitely forward, could not be thrust aside again. It was too vitally connected with the mastery of the continent, too plainly a thing which lay at the heart of western plans, to be put aside by vote of the Senate. It had come to be fought out as a party issue; and the Democrats were better prepared for it than the Whigs. They were at least capable of exercising choice. The Whig party was too curiously and too variously compounded to meet any new question without painful hesitation and deep embarrassment.

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Texas had sprung up, a young empire at the south west, within a decade. No doubt all the vast region which she claimed and dominated had in strict right been a part of the broad, vague "Louisiana" which Mr. Jefferson had purchased of France in 1803; but the United States had yielded their claim to it in 1819, in order to secure all of Florida in the treaty with Spain. Mr. Adams, then Secretary of State, New Englander though he was, had wished to insist upon setting the south-western boundary of the United States forward to the Rio Grande del Norte; but Mr. Monroe, the President, southerner though he was, had thought it best, as the rest of his cabinet did—Mr. Crawford, of Georgia, Mr. Calhoun, of South Carolina, and Mr. Wirt, of Virginia, among them,—that the East should not be so disquieted. "Having long known the repugnance with which the Eastern portion of the Union have seen its aggrandizement to the West and South," wrote Mr. Monroe to General Jackson, "I have been decidedly of the opinion that we ought to be content with Florida for the present." He had seen then that it was only "for the present"; and he had irritated the South and West more than he had pleased the East. By abandoning a full third of the Louisiana claim he had made the Missouri compromise of the next year (1820) no settlement at all, but merely a new point of departure in the struggle for the extension of slavery and the expansion of the South. In the drawing of that line of compromise the southern men had gained hardly so much as one fourth of what had been conceded to the northern interest, and the balance of power between the sections remained still to be redressed.

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Texas did not remain the property of Spain. While the treaty of 1819 lay unconfirmed at the dilatory court of Madrid, the people of Mexico broke away from their allegiance to the crown of Spain (1821) and established their independence, sweeping Texas within their dominion. In 1825 Mr. Adams offered Mexico a million dollars for the territory, but got nothing for his offer but the jealous distrust of the new government. General Jackson offered five millions for it, and only intensified the distrust. In 1827 the "State of Coahuila and Texas" became a member of the Mexican federal union.

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At first, to get increase of strength in her struggle with Spain, Mexico had encouraged immigration out of the United States. At first her law permitted slavery. When she grew fearful of the too strong desire of the United States for Texas she shut her doors, so far as law and ordinance could shut them, against immigrants out of the East. To win favor with the negroes of Hayti against Spain, she abolished slavery. But immigrants were not to be gainsaid; that long border could neither be watched nor guarded. Slaves came with their masters, too, and Mexican laws had to be suspended for the benefit of the Americans, who would not heed them.

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The masterful men who poured in across the long border came for the most part from the southern States. They found Mexican rule a thing sore to bear, arbitrary, inconstant, without principle, with out stability of power. As their numbers increased, therefore, they made bold to take things into their own hands; framed a constitution for Texas which was to their own liking; and, when they could not obtain the sanction of the Mexican government for it, put it into operation without sanction (1833), making a revolution out of the right of local self-government. In 1836, the government of Mexico being overturned and Santa Anna, its President, made dictator in his own behoof, they seceded, and made good their independence in a battle (San Jacinto, April 21, 1836) which the usurper was not likely to forget. With bowie knives and clubbed rifles, a little army of seven hundred and forty-eight Texans, under the redoubtable Sam Houston, fell in true frontier fashion upon the sixteen hundred Mexicans Santa Anna had brought against them; left about six hundred of their enemies dead upon the field; gave themselves more than two hundred wounded Mexicans to take care of when the dreadful work was over; took seven hundred and thirty prisoners; and had the dictator himself to show for trophy. Of their own number but six were killed and twenty-five wounded. "I was thirty years too soon!" cried Aaron Burr, when the news was brought him in his solitude—an aged man, ostracized, forgotten.

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The European states which coveted her trade recognized the independence of Texas the next year (1837). General Jackson recognized it as promptly. He took counsel, after his masterful fashion, neither with Congress nor with any one except the friends of Texas herself. He was himself General Houston's friend, and had no doubt what countenance the Executive of the United States should give the chief of the new state. Texas was her own mistress in her own empire.

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But the men who had peopled her out of the South had not taken possession of her government to maintain themselves in independence. They had taken possession in order to bring the fair territory into the Union to which they conceived her properly to belong. Her broad expanses were the natural growing ground of the South. The political advantages the South would reap from the addition of Texas to the Union were palpable and obvious,—so palpable and obvious that politicians in the East deemed her virtual conquest by southern men a concerted scheme for southern aggrandizement. Only by the addition of territory and the creation of new states south of the line drawn by the Missouri compromise could the South hope to preserve that equality between the sections in the Senate upon which she instinctively felt her safety, the integrity and even the continuance of her chosen ways of life, to depend. The vast area of Texas, big enough for half a dozen states, would be a make-weight indeed, and was a stake worth playing for. It looked to the rest of the country as if the South had deliberately played for it, using lawless and ambitious men as pieces in the game. It was said that General Houston had gone from his home in Tennessee, a disappointed and discredited man, expressly "to kindle all internal insurrection" out of the inflammable material sent ahead of him, "and separate Texas from Mexico." Like every frontier, the country teemed with men come for adventure, and not too squeamish of what sort it should be. Those who were suspicious felt sure they had come for a particular adventure planned beforehand,—that Texas had been garrisoned with conspirators to serve the ambition of the South. She had in fact come by her settlers out of the States like any other frontier. Her independence came as inevitably as the unpalatableness of Mexican authority to the temper of the new comers. The proposal to bring her into the Union came from men who had taken possession of her, not to secure independence, but only a new home where they should be as free as Americans within the border they had crossed. The matter had been broached to Mr. Van Buren; but he had read the signs of the times and had declined to have anything to do with it. Mr. Tyler took it up with a certain eagerness. A southerner himself, bred to the southern point of view, holding the constitutional doctrines of the South very absolutely and in a form almost as radical and unqualified as that in which Mr. Calhoun, now his Secretary of State, had uttered them, in defence of nullification, and minded to maintain the old balances of the federal system where he could, the annexation of Texas seemed to him a step which every statesman should wish to take.

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Texas stood ready to accept a separate role should her overtures be rejected. Should the jealousy of warring parties exclude her from the Union, "a rival power will soon be built up," said General Houston, "and the Pacific as well as the Atlantic will be component parts of Texas in thirty years…. All the powers which either envy or fear the United States would use all reasonable exertions to build us up as the only rival power that can exist on this continent." The long coast of the Pacific above her was open to be occupied: she could look forward to having the Californias and New Mexico for the taking. "They must come," her confident leader declared; "it is impossible to look on the map of North America and not perceive the rationale of the project."

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But she was not left to try the experiment. Though the treaty which he submitted to the Senate failed when it came to the vote, in June, 1844, Mr. Tyler had brought Texas in within less than a twelvemonth after its rejection. The summer of 1844 had brought together again the nominating conventions of the parties, to make ready for the next presidential election; and the Senate had waited to vote as the Whig convention should wish it to vote. The Whig convention had said nothing about the annexation of Texas in its declaration of principles, but it had put Mr. Clay in nomination for the presidency, and Mr. Clay, whom all the party knew to be its real leader, had decided against any immediate step towards annexation. The Democratic convention, more bold and candid than the Whig, declared very flatly for "the reoccupation of Oregon and the reannexation of Texas at the earliest practicable period" and made those critical matters distinct as the real issues of the campaign. Unable to agree upon any one of the recognized Democratic leaders for the presidential nomination, it named Mr. James K. Polk, of Tennessee, as the candidate of the party, a man long prominent in the Democratic ranks in the House of Representatives, and an avowed advocate of annexation. Mr. Clay shifted uncomfortably as the fight went forward; explained his position overmuch; sought to conciliate opinion on both sides; and lost support where he had seemed most likely to receive it. The abolitionists had brought a "Liberty" party into existence, and now put a candidate of their own into the field. They drew their strength more from the Whigs than from the Democrats, and their ranks were swelled more and more as Mr. Clay made doubting Whigs more and more uneasy. Their sixty thousand votes decided the election. Mr. Polk spoke but one purpose, showed himself a frank, unhesitating party man, held his followers to an open path, and, by narrow majorities, won in fifteen out of the twenty-six States.

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It was when the campaign was over and the election decided that Mr. Tyler had the satisfaction of himself bringing Texas into the Union. The country had given its verdict; the houses, accepting the verdict, passed a joint resolution in favor of the admission of Texas; and the President signed the resolution on March 3, 1845, the day before Mr. Polk entered upon the succession.

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It remained for Mr. Polk to deal with the consequences. The programme of his party seemed to have saddled two wars upon him. Mexico would quite certainly contest the boundary claims of Texas at the south; and the Democratic programme coupled "the reoccupation of Oregon" with "the reannexation of Texas,"—a matter which very likely held at its heart a war with England. Russia had seemed the rival claimant most to be feared in the Oregon country in 1823, when Mr. Monroe, looking towards that quarter as well as towards the south, uttered his significant warning to the European powers against any aggression, whether in search of territory or of sovereignty, in the Americas; but Russia had agreed with England and the United States, in 1824 and 1825, to make no claim south of 54° 40' north latitude; and England and the United States, waiving for the time their own rival pretensions, had maintained since that settlement an informal joint occupation of the country. Latitude 42° had been fixed, by the treaty of 1819 between the United States and Spain, as the northern limit of the Spanish possessions upon the Pacific. From the Lake of Woods to the doubtful Oregon country the northern boundary of the United States followed the forty-ninth parallel of north latitude.

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All things might have stood as they were had that distant coast remained unused, unpeopled. But settlers and fur traders were moving there, as everywhere upon the tempting continent. English trading companies attempted to exercise exclusive rights there, the whole region through; set up their trading post north and south upon the rivers; and kept American traders out. But not American settlers. Squatters came in, indifferent what title they held if only they had that of actual possession. Organized bands of settlers followed upon the heels of isolated squatters and single families, and little settlements began to be clustered here and there upon the rivers. The government at Washington refused to give them any grants for their lands, remembering its covenant of joint occupation with England; but the English could not exclude or oust them; and men and families who came to stay and make homes for themselves began presently to seem much more like actual owners of the disputed country than mere traders could or the agents of fur companies. Doubtful boundaries at the Pacific were fast becoming a distinct menace to peace. There were men in Congress, too, like Mr. Benton, who sought upon every opportunity to take the aggressive and force the government to a final settlement with Great Britain.

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Disputes with England seemed to dog the steps of almost every Administration. It was but three years since Mr. Webster and Lord Ashburton had settled the difficult matter of the northern boundary of Maine by running a compromise line between Canadian and American territory upon the Atlantic. The air of politics, moreover, had never been quite still enough in America for dispassionate settlements by treaty. A veritable storm of outspoken opinion beat about every matter of controversy with foreign countries, if once it happened to catch the ear of the heady democracy which presidents and cabinets had it as their difficult task to lead. And that democracy was more confident, more wilful, more headstrong now, since General Jackson had shown it its way to supremacy, than it had ever been before. Presidents were no longer likely to attempt to withstand it as General Washington had withstood it in the day of its outcry against Mr. Jay's treaty with England. Mr. Polk was a man of his party; the question of the occupation of Oregon had taken hold of the imagination and the passion of the country; the convention which had nominated him had demanded that nothing less than the whole of the disputed region be required of England, up to the very line of the Russian claim; the cry of the campaign had been "Fifty-four forty or fight." England, on her part, pushed her claim southward to the Columbia River, where her fur traders had set a station up. Only the cooling processes of actual negotiation cleared the matter and brought safer counsels in. Mr. Buchanan, the new Secretary of State, was not of the fibre to insist in the face of emphatic refusal of what he demanded; the English government looked with evident uneasiness upon the state of opinion in the United States; a comparison of views brought concessions on each side; and in 1846 the Senate consented to a treaty which continued the line of the forty-ninth degree of north latitude to the Georgian Straits as the definitive northern boundary of the Union.

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The Texan boundaries were another matter. Here the government dealt with a rival and neighbor with whom no compromise was necessary. Texas claimed, not only everything north and west of her that had been Spain's or Mexico's all the way to latitude 42°, but also so much of the territory of her one-time partner State, Coahuila, as lay between the Nueces and the Rio Grande del Norte at the south; and Mr. Polk espoused and acted upon her claims at the south even before her formal admission into the Union was complete. He ordered General Zachary Taylor to occupy the western bank of the Nueces with a small force of United States troops, and during the summer of 1845 sent him reinforcements which raised his strength to nearly four thousand men. In December, 1845, Texas became in full form a State of the Union; and early in the following year the President ordered General Taylor to advance to the Rio Grande. His presence there threatened the Mexican town of Matamoros, just beyond the river, and the Mexican commander at Matamoros demanded his withdrawal to the Nueces. General Taylor refused to withdraw. The Mexicans crossed the river, and on April 23d ambushed a small body of American dragoons. Two weeks later they attacked General Taylor in force and he repulsed them (Palo Alto, May 8, 1846). The next day Taylor in his turn attacked, and drove the Mexicans back across the river in disastrous rout. On the 18th General Taylor himself passed the Rio Grande and occupied Matamoros.

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"Mexico," the President told Congress on the 11th of May, while yet he had had no news except that of the ambush of the 23d of April, "Mexico has passed the boundaries of the United States . . . and shed American blood upon American soil. War exists, and exists by the act of Mexico herself." He had not consulted Congress before he ordered General Taylor forward to the Rio Grande and brought this momentous matter to a head, though it had been in session when the order was issued. He had taken full responsibility for that upon himself. War indeed existed,—but by whose act Congress was no longer at liberty to inquire. There was nothing for it but to vote supplies and an army; and a formal declaration of war was resolved upon May 13, 1846, before news of the real fighting on the Rio Grande had reached the capital.

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Until autumn all things stood as they were between the belligerents while an army was made ready; but late in August General Taylor moved again, and within a month, by severe and dogged fighting (September 21-23), took the strongly fortified town of Monterey, a full hundred and seventy miles to the west of Matamoros on the highway to the Mexican capital. In November General Winfield Scott, the ranking officer of the federal service, was given chief command, and in January, 1847, General Taylor's force was reduced to a scant five thousand to recruit the immediate command of his superior, sent by sea to attack Vera Cruz. On the 22d and 23d of February Santa Anna attacked him, with four times his numbers, where he lay at defence on the broken plain of Buena Vista, thinking to crush him while he was weak; and was repulsed. The Americans were no longer raw militia, men and officers alike, as they had been in the extemporized armies of 1812. Though they were for the more part volunteers, their officers were professionals, and they were drilled and handled with a skill and thoroughness that made veterans of then, with a single battle.

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Their steadiness and prowess were put to full test with General Scott in the south. There they had not only to take Vera Cruz by set siege (March 9-29, 1847) in order to make good their landing, but had also to scale the huge escarpments of the vast table-land upon which the Mexican capital lay, two hundred miles away, more than seven thousand feet above the sea, and to make their way across the broken, hilly plains beyond, fighting everywhere as they went against an enemy who outnumbered them and was secure against surprise within safe inner lines of communication. And yet from the carrying of the pass at Cerro Gordo (April 18, 1847) to the storming of the high fortress of Chapultepec (September 13th) there was no pause or miscarriage in the steady process of their victories. The city of Mexico lay amidst guarding fortresses and was set about by morasses crossed only by narrow causeways. But the Americans moved everywhere with the business-like certainty and precision of men well handled, and their volunteer ranks seemed less in need of officers than other armies did. Individual pluck and dash and resourceful daring showed, irresistible, in all that they did. They fought men as brave as themselves, a subtile, spirited race, tenacious to the last of all that it could hold; they fought, also, against odds and moved everywhere against fortified places; but they won undaunted at every onset. By the 15th of September they were in complete and formal possession of the enemy's capital and Mexico was in their hands, within but a little more than six months of their landing.

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Meanwhile the government at Washington had broadened the scope and meaning of the war beyond all expectation. During the summer of 1846 and the winter of 1846-1847 it had seized, not merely the disputed territory which Texas claimed, but also the whole country of the Pacific slope beyond, from Oregon to the Gila River, to which the United States could have no conceivable right except that of conquest. The thing was easily accomplished. A fleet under Commodores Sloat and Stockton and a few troops acting here and there under Colonel Kearney and Captain Fremont moved almost as they pleased; and a territory of six hundred thousand square miles was added to the United States.

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The war, with all its inexcusable aggression and fine fighting, was brought to its formal close by a treaty, signed at Guadeloupe Hidalgo on the 2d of February, 1848, by which Mexico recognized the Rio Grande as the southwestern boundary line of Texas and ceded New Mexico and California, of which the United States had taken possession by force of arms. For this territory, seized and ceded, the United States agreed to pay Mexico fifteen million dollars.

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It had been evident from the first what the outcome of the war must be. When, in August, 1846, Congress had had under consideration an additional money vote of two millions, "for the settlement of the boundary question with Mexico," there had been no doubt in the mind of any candid or well informed man that the money was really to be spent for the acquisition of territory as opportunity offered. Members of Congress very well knew what question that opened again. Mr. David Wilmot, a Democratic member of the House from Pennsylvania, therefore, promptly offered as an amendment to the vote the proviso that neither slavery nor involuntary servitude should be permitted in any territory that might be acquired from Mexico. The amendment passed the House with the money vote, but miscarried in the Senate, with the money vote itself, because it provoked debate and there was not time enough at the fag-end of a session to push it past debate to its passage. It was necessary that the matter of the proviso should be settled. The Missouri compromise line ran only to the western boundary of the Louisiana Purchase; the war brought accessions of territory as extensive, almost, as Louisiana itself; the question of the extension of slavery once more awaited debate and settlement. Here were vast provinces greater than the entire area of the original Union. Was slavery to be carried into them, and were slave States to be erected along the mountains and by the Pacific which should preserve the political balance of North and South in the Senate? The "Wilmot proviso" must be adopted or rejected; its question could not be put out of sight.

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While the war lasted and the troublesome questions it bred were yet in abeyance, the Democrats made good the programme of domestic administration they had set themselves. By the elections of 1844 both houses of Congress had become Democratic, and party measures could be carried. In July, 1846, therefore, a new tariff Act was passed which brought protective duties down almost to a strict revenue basis, and considerably enlarged the free list. In August an Act was passed which once more established the Independent Treasury, substantially as Mr. Van Buren had planned it. The expenses of the war were not, so far as the revenues fell short, by large issues of interest-bearing treasury notes. The Democratic leaders were steadfast in their determination neither to use the banks nor to increase the tariff in order to assist the Treasury.

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But their power came to an end with the first Congress of Mr. Polk's administration. The congressional elections of the autumn of 1846 transformed the majority in the House from Democratic to Whig again. The Senate, more slow to change, remained Democratic. With the houses no longer agreed, party plans fell into confusion. Congress was once more disturbed by questions which lay deeper than politics and cut both parties athwart with the lines of faction. The question of slavery had returned again to plague it. The Democratic Senate wished to pass an appropriation bill "for the settlement of the boundary question" in which nothing should be said about the extension of slavery; the Whigs of the House insisted upon Mr. Wilmot's proviso. Oregon was drawn into the controversy. The Senate would agree to no bill organizing Oregon as a Territory which excluded slavery; the House would adopt no measure which did not exclude it. The treaty of peace and cession found the houses still unagreed. Not until August, 1848, could they agree even upon the organization of Oregon. Then the Senate yielded and the Territory was organized under a law which extended to her area the prohibitions of the Ordinance of 1787. But in the matter of California and New Mexico the dead-lock was unbroken. All measures failed, and the new territories were left with no law but such as they had got from Mexico.

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Democratic politicians, indeed, put forward a political doctrine in the matter which, if accepted, would make it unnecessary for Congress to act at all upon the chief question at issue. The introduction or non-introduction of slavery into those territories, they said, was not a thing to be determined beforehand or by federal authority: it must be determined by circumstances and by the free choice of the people who were to make their homes there. It ought to be their privilege to choose their own institutions and economy of life, and Congress ought not to attempt to dictate what their choice should be. They called this a principle of democracy, that every community should determine its own life; but it came too late to their lips to look like anything more than a counsel of timidity and inaction, a makeshift party doctrine of "squatter sovereignty"; and opinion was neither stayed nor satisfied by the compromise it offered.

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That year of dead-lock between the houses was the yar also of a presidential election; and no one who looked observantly upon the incidents of that year doubted what significant changes were setting in. The airs of opinion blew now out of this quarter and again out of that, but their shifting currents foretold, to those who could read the weather, the setting in of the trades, which should blow continuously and with increasing volume out of one quarter a long season through. Both Whigs and Democrats observed the signs of the times, and fell silent upon the main issue that was in every man's mind, awaiting steadier weather. The Democrats, turning from Mr. Polk, nominated Mr. Lewis Cass, of Michigan, for President, a man conspicuous among them for conservative temper and liberal ways of thought, and spoke in their declaration of principles only of old doctrines, deliberately excluding an avowal of the doctrine of non-interference with the extension of slavery. The Whigs, more cautious still, fell back again upon their tactics of 1840: nominated for President General Zachary Taylor, no politician but a frank soldier like General Harrison; for Vice President Mr. Millard Fillmore, of New York; and made no declaration of principles at all. But the issue was not obscured. A strong faction of Democrats in New York drew off from their party in open protest against the programme it did not avow, and in conjunction with men of their own mind out of four other States nominated Mr. Van Buren, who had stood from the first in frank opposition to the extension of slavery. Nor was that all. In August, at Buffalo, still another convention came together, composed of delegates out of eighteen States, to form an independent free soil party, pledged neither to interfere with slavery in the States, whose laws Congress had no power to change, nor to permit its introduction into the Territories, whose laws Congress was empowered to make; and it also put Mr. Van Buren in nomination.

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The Democratic split in New York cost Mr. Cass the election. The thirty-six votes of the State went to General Taylor; and thirty-six was General Taylor's majority in the electoral college. Mr. Van Buren received nearly three hundred thousand votes. The "Free Soilers" had drawn their strength rather from the Whigs than from the Democrats, it turned out, except in New York, and were to hold the balance of power in the next House, where neither Democrats nor Whigs could command a majority without them. Only the Senate remained Democratic. A "free soil" campaign had cut party lines sharply athwart, and no man could safely forecast what was to come.

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All things seemed touched with change. The country offered but a confused and troubled stage upon which to order parties or make and execute plans of action. The decade through new forces had seemed to gather head, and old forces to be checked and altered (1840-1850). Rhode Island had found herself obliged to enlarge her suffrage and make liberal changes in her old-fashioned constitution, kept unaltered since old colony days, in order to quiet actual rebellion, under one Thomas Dorr. The legislature of New York had been obliged to secure fee simple titles for the men who farmed the lands on the Hudson still leased, for a rent in kind, from the heirs of the Dutch patroons; because they flatly refused to pay the rents any longer, resisted the sheriff's process with arms, and would pay for nothing but absolute title. Six thousand miles of railway were built while Mr. Tyler negotiated the annexation of Texas and Mr. Polk thrust Mexico to the wall. The population of the country increased from seventeen to twenty-three millions. Florida, Iowa, and Wisconsin, as well as Texas, were added to the roll of States. The electric telegraph, spreading with the railways, whose administration it so much eased and simplified, quickened also and gave sweep to the movements of trade and of opinion.

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A great tide of immigration, moreover, began to pour in, such as the country had never seen before. Until 1842 there had never been so many as a hundred thousand immigrants in a single year; but in 1845 there were one hundred and fourteen thousand, and by 1849 there were two hundred and ninety-seven thousand coming in within a twelvemonth, the tide rising steadily from year to year. These were years of deep distress over sea. 1846 and 1847 were the years of the terrible famine in Ireland; 1848 saw European states shaken once again by revolution. Not only men out of Ireland, looking for a land where there was food, but men also out of the old monarchies of the continent, looking for a land where there was liberty,—men of wholly foreign speech and habit, seeking a free place for a new' life, bent upon their own betterment, and thinking little of aught that did not touch their own fortunes,—came crowding endlessly in. They did not go into the South, where labor was not free, for they were laborers. They crowded, rather, into the cities at the north, or pushed on to the virgin West. Their coming, thousands upon thousands, their ceaseless movement into the West, their stir as of an invading host, subtly gave new impulse to the general movement and resettlement of the population, already afoot of its own accord: to the opening of new lands, the diversification of industry, the quick growth of a nation always making and to be made. Until now the country had been developed for the most part only by men out of the old homes of the first settlers and by natural increase of its own people. Now there was added this power of increase and subtle impulse of change from without. And the tide of men from over sea, once set running, did not ebb or recede. States men found themselves obliged to accommodate affairs to a day of new forces, which escaped them and dominated all that they did.

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Whether it came by immigration or by natural increase, growth of population meant the augmentation, not of sectional, but of national forces. The slave-holding States, though their number included Missouri and Arkansas, which shared the growth of the frontier, showed, even with Texas added, an increase of but little more than two millions in the decade, while the rest of the country saw nearly four millions added to its strength. Industry, too, moved with as quick a pace as population, and invention bettered and facilitated its processes at every step. By 1846 a fully practicable sewing machine had been developed and patented. In 1847 the rotary printing press was invented. The power loom was still further varied and perfected. An age of machinery was pushing forward every process of production, every means of communication, everything that touched either thought or effort.

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Though the southern politicians talked only of constitutional rights, and seemed to fight only for the extension of slavery, southern merchants held conventions to plan railways to the Pacific and debated measures for linking their trade with the expanding West. Their thoughts ran eagerly and with a certain enthusiasm upon the great future of the nation, in which they wished to take their part. Their plans were made upon the scale of the continent; they spoke in the spirit of the new age, and sought their right role in the general development. And yet there was in all that they said and urged an unmistakable note also of apprehension. They wished to take part, and yet began to fear that they could not. They spoke of the nation, and of their duty and their opportunity in it; but the nation of their thought was not a nation which could easily be united in joint efforts of business. It was a nation sectionalized and divided by social and economic contrasts too gross and obvious to be overlooked; a nation whose several regions showed interests diverse and separate, hardly to be reconciled. This they saw, some vaguely, some with painful clearness, and a deep uneasiness grew upon them more and more from year to year. The spirit and the power of the time were turned against them.

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And the issues which made their place apart a fact, not of speculation but of certainty, were mightily hastened by every force afoot in the life of the country as it grew. It became evident almost at once that Congress could not avoid or even postpone its choice with regard to slavery in the new territories seized from Mexico. The very month the treaty of Guadeloupe Hidalgo was signed (February, 1848) rich deposits of gold were discovered in California; and before the politicians at Washington were ready to organize the region as a Territory it had filled with an aggressive population which was making ready to demand its admission into the Union as a State. Before the census of 1850 was taken eighty thousand settlers had made their way thither, eager for treasure. Some had struggled across the interminable plains and over the mighty ridges of the Rockies; some had taken ship and gone the long way round about Cape Horn; some had crossed the isthmus of Central America and made their way in such craft as offered up the Pacific coast. The plains were ere long strewn with the bleaching bones of men and beasts, the coasts with frail craft cast away upon the incautious, eager voyage; but the quest did not cease or slacken. Thousands reached the faraway goal, found the golden fleece, and set themselves to build a State. It was evident enough that, with such things happening, Congress could not put action off.

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The new President, too, forced the matter most uncomfortably. General Taylor had no sooner become President than he acted upon the situation in the West with a soldier's practical, businesslike candor and directness. He advised the settlers in California and New Mexico to frame state constitutions and apply at once for admission to the Union with institutions of their own choosing; and the Californians acted upon his advice so promptly that by the time Congress met they had erected a complete government, and he had ordered General Riley, the provisional military governor of the territory, to withdraw. When the houses assembled the frank soldier President advised them to admit the new State at once, and to postpone action with regard to New Mexico until it also should have completed its preparations for admission, then in progress.

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But the thing was not to be so easily and simply handled. A deep excitement had spread through the country that eventful year. Again it had come to seem as if the future of the Union hung upon this issue. Very significant things had been said and threatened, which it was not easy to forget or dismiss. So long ago as 1843 John Quincy Adams, who thirty-five years before had left the Federalists because they talked of dissolving the Union, had joined with other Whigs in declaring that the addition of Texas to the South would bring about and justify disunion. Mr. Garrison, the leader of the abolitionists, had proposed in 1845 that Massachusetts should lead in a movement to withdraw from the Union, and had won very hearty applause for the suggestion from an anti-annexation convention. The masses of the people, it is true, did not heed these things; the counsels of sober statesmen were not seriously affected by them. But almost every northern State demanded, through its legislature, the adoption of the Wilmot proviso, and every southern State protested against it, in tones not to be mistaken. The southern men, to whose demands Mr. Calhoun gave the touch of final definiteness which only words of precision such as he used could give, now denied outright the power of the federal government to exclude slaves, the legitimate property of southern settlers, from the Territories of the United States, and asserted the right of the people of the Territories "to act as they pleased upon the subject of the status of the negro race amongst them, as upon other subjects of internal policy, when they came to form their constitutions." The air was full of disquieting rumors as to what the southerners meant to do should Congress set that principle aside: how they meant to shut their ports against the North and turn all their arts and all their power towards building up an alliance, at once political and economic, with the West: how in the last resort they meant to secede from the Union altogether.

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It was not an air in which action was easy to be determined upon. Even compromise seemed for a long time impossible. Mr. Clay, with the dignity of old age upon him, once more came forward as mediator, with counsels of accommodation for which he plead, not in his old tones of commanding leadership, but in new tones almost of suplication which it was very moving to hear. Mr. Webster ceased to speak of the constitution as an instrument of authority; spoke of it, rather, as a thing to be maintained by seeking ways of peace and compromise. But not until many anxious months had gone by, full of bitter, estranging debate, within the houses and without, could terms of agreement be hit upon. It was agreed at last, in the closing months of 1850, that California should be admitted to the Union as a free State, with the constitution she had herself formed; that the rest of the Mexican cession should be left open to slavery, should events and the movement of population out of the South establish it there; that the slave trade should be abolished in the District of Columbia; and that a stringent fugitive slave law should provide the southerners with effective legal means of recovering runaway slaves. Such was the bundle of measures that had to be got together to quiet all parties.

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Meanwhile Mr. Calhoun was dead (March 31, 1850), while compromise yet hung doubtful,—and the President himself (July 9, 1850), of a sudden fever; and Mr. Fillmore was President, a man more amenable to the control of the leaders of Congress and of his party than the sturdy soldier had been whom he succeeded. The face of affairs had changed again with the settlement of the principles of compromise.

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It meant more than the mere passing away of a notable figure that Mr. Calhoun was dead at such a juncture,—a tall, spare old man, the lines of whose striking face and haunting, deep-set eyes marked him as the very embodiment of a single stern and watchful purpose, an ascetic knight challenger set down in lonely guard to keep an ancient shrine of doctrine. Eight years before he had told his friends upon what single principle he had acted since 1825, and must ever act so long as he remained upon the field of action. He had opposed Mr. Adams and Mr. Clay, had first supported General Jackson and then turned from him, had acted with the Whigs against Mr. Van Buren and with Mr. Tyler against the Whigs always with this one hope and purpose, "to restore the old state rights Republican doctrines of '98; under the solemn belief that on their restoration the existence of our free popular institutions depended." He came of the hard-willed, indomitable stuff of the north of Ireland, and showed in all his strenous course "the definite mind, the inflexible purpose, the reserved, self-restrained, somewhat ungenial temper of the Ulsterman." When he went off the stage politics seemed bereft of some force as of private and personal conviction, and left to the guidance of men who looked for their opportunity, not for their day of justification.

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Our leading general authorities are still George Tucker, volume IV., Bryant and Gay, volume IV., James Schouler, volumes IV. and V. and H. von Hoist, volumes II.-VI. Here we begin to have as guide Mr. James Ford Rhodes's History of the United States from the Compromise of 1850, volumes I. and II. We turn also, as before, to Carl Schurz's Henry Clay and Theodore Roosevelt's Thomas H. Benton in the American Statesmen Series; Calvin Colton's Life and Speeches of Henry Clay; George Ticknor Curtis's Life of Daniel Webster and Life of James Buchanan; Alexander Johnston's History of American Politics; Edward Stanwood's History of the Presidency; and A. W. Young's American Statesman.

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The list of special authorities on particular topics or individual aspects of the history of the time is very long. The following may represent the whole. J. N. Larned's History for Ready Reference, which, under the title United States and under various special titles connected with the history of the country, contains copious and admirably selected extracts from the best writers; Lalor's Cyclopaedia of Political Science, Political Economy, and United States History; J. McK. Ornsby's History of the Whig Party; Henry A. Wise's Seven Decades of the Union; Alexander H. Stephens's Constitutional View of the War between the States; R. S. Ripley's War With Mexico; William Jay's The Mexican War; A. M. Williams's Sam Houston and the War of Independence in Texas; C. E. Lester's Houston and His Republic; R. D. Hunt's Genesis of California's First Constitution in the thirteenth volume of the Johns Hopkins University Studies in Historical and Political Science; D. King's Thomas W. Dorr, a Life of the leader of the rebellion in Rhode Island; E. R. Potter's Considerations on Questions on Rhode Island; E. P. Cheyney's Anti-Rent Agitation in New York; James Russell Soley's Wars of the United States, James B. Angell's Diploinacy of the United States, and Winsor and Channing's Territorial Acquisitions and Divisions in the seventh volume of Winsor's Narrative and Critical History of America; Albert Gallatin's Right of the United States of America to the North Eastern Boundary; William Barrows's Oregon in the American Commonwealth Series.

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Among the most useful biographies are Lyon G. Tyler's Letters and Times of the Tylers; Josiah Quincy's Life of John Quincy Adams; W. W. Story's Life of Joseph Story; E. M. Shepard's Martin Van Buren in the American Statesmen Series; F. W. Seward's Seward at Washingtoin (1846-1861); E. L. Pierce's Life of Charles Sumner; Pleasant Stovall's Life of Robert Toombs; William P. Trent's Life of IV. G. Simms; A. C. McLaughlin's Lewis Cass in the American Statesmen Series; Nicolay and Hay's Life of Lincoln; and Albert B. Hart's Salmon P. Chase in the American Statesmen Series.

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Among the innumerable writings on slavery and the slavery question which now begin to be useful the following may be mentioned: Horace Greeley's American Conflict and History of the Struggle for Slavery Extension; Iv. Goodell's Slavery and Anti-Slavery; the first volume of J. W. Draper's History of the Civil War; E. A. Pollard's Lost Cause; Henry Wilson's History of the Rise and Fall of the Slave Power; Hodgson's Cradle of the Confederacy; George Lunt's Origin of the Late War; Marion G. McDougall's Fugitive Slaves; W. P. and F. J. Garrison's Life of William Lloyd Garrison; Iv. H. Siebert's Underground Railroad; Thomas R. R. Cobb's Inquiry into the Law of Negro Slavery and Historical Sketch of Slavery; J. C. Hurd's Law of Freedom and Bondage; Charles Francis Adams's Life of Richard Henry Dana; William Jay's Miscellaneous Writings on Slavery; Leveret W. Spring's Kansas in the American Commonwealth Series; Eli Thayer's Kansas Crusade.

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Shosuke Sato's Land Question, in the fourth volume of the Johns Hopkins University Studies in Historical and Political Science treats of the system of public lands which underlay the westward expansion; Mr. F. W. Taussig's Tariff History sketches the political and economic aspects of tariff legislation; and Mr. David Kinley's Independent Treasury System narrates the various vicissitudes through which Mr. Van Buren's favorite plans passed before their final acceptance by Congress.

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The chief sources are the Register of Debates; the Congressional Documents; the Congressional Globe; Thomas H. Benton's Abridgment of the Debates of Congress; Niles's Register, besides which the National Era (Washington), the New York Times, the New York Tribune, the New York Evening Post become available for contemporary matter; Thomas H. Benton's Thirty Years' View; Nathan Sargent's Public Men and Events; John Quincy Adams's Memoirs; Martin Van Buren's Inquiry into the Origin and Growth of Political Parties in the United States; Chevalier de Bacourt's Souvenirs of a Diplomat; Mrs. Chapman Coleman's Life of John J. Crittenden; Alexander Johnston's Representative American Orations; Hugh McCulloch's Men and Measures of Half a Century; George W. Curtis's Correspondence of John Lothrop Motley; Amos Kendall's Autobiography; Thurlow Weed's Autobiography; Herndon's Life of Lincoln; F. W. Seward's Seward: An Autobiography; Frederick Law Olmsted's Cotton Kingdom; Ben: Perley Poore's Perley's Reminiscences; W. Kennedy's Rise and Prospects of Texas; W. C. Crane's Life and Select Literary Remains of Sam Houston; Hintonù R. Helper's The Impending Crisis; Susan D. Smedes's Memorials of a Southern Planter; Frances Anne Kemble's Journal of a Residence on a Georgia Plantation; the Personal Memoirs of Ulysses S. Grant; the case of Luther vs. Borden, touching the relation between the federal and state authorities in the matter of the rebellion in Rhode Island, reported in the seventh 'volume of Howard's Supreme Court Reports, p. 1; the cases of Prigg vs. Pennsylvania, 16 Peters's Reports, 539, and Ableman vs. Booth, 21 Howard, 506, touching upon the law with regard to fugitive slaves; and the Kansas Historical Collections.

Chapter 4:

Armed Division

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FOR a little while there was a calm upon the surface of affairs. Agitation fell quiet after the hard-won compromise, and the way seemed clear again for the sober counsels of peace, the everyday business and routine of politics and growth. But passion was none the less awake because it had fallen silent for a space. Thoughtful men could not forget what had been said in the debates which had accompanied the compromise, or how near those debates had seemed to bring them to a yawning gulf, where every danger gaped wide and obvious. "If you who represent the stronger portion," Mr. Calhoun had said, in words whose passion seemed all the deeper because of their slow and sober cadence, "if you who represent the stronger portion cannot agree to settle the great questions at issue on the broad principles of justice and duty, say so; and let the States we both represent agree to separate and depart in peace." And issue had been joined very sharply, for there had been men of a new temper on the other side who had spoken as frankly: free-soil Whigs and free-soil Democrats, men in their prime, but just come into Congress, bold and ready to push their views at any risk. Mr. Seward, the new Whig senator from New York, had proved himself in those memorable debates a veritable philosophical radical, alike in opinion and in purpose. He had utterly repudiated all compromise, had denied the possibility of an equilibrium between the slave States and the free, and had declared the common domain of the country to be devoted to justice and liberty not only by the constitution but also by "a higher law than the constitution." He believed, he said, that slavery must give way "to the salutary instructions of economy and to the ripening influences of humanity"; that "all measures which fortified slavery or extended it tended to the consummation of violence,—all that checked its extension or abated its strength tended to its peaceful extirpation"; and that no makeshift or avoidance could make the issue either slow or doubtful. Mr. Calhoun had died with these things in his ears, face to face with the very tragedy he had striven with all the intensity of his deep nature to avert.

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Men who gave little heed to debates and thought only of what they saw and knew presently found themselves stirred with a fresh and vivid passion of the mind as they witnessed or learned of the operations of the Fugitive Slave Law. The constitution itself commanded in explicit terms that fugitives from service, as well as fugitives from justice, who should escape from one State into another, should be delivered up and returned upon demand; and Congress, so long ago as 1793, had adopted a measure intended to secure obedience to the constitution in that matter. The behests of that statute, however, had been addressed, not to federal officers, but to the officials of the several States; magistrates and sheriffs in the northern States had shown greater and greater slackness in performing their duty under the statute, had, indeed, come more and more to neglect it altogether, as opinion against slavery gathered head; and the Supreme Court of the United States had finally made utter dead letter of the law by deciding, in the case of Prigg vs. Pennsylvania (1842), that Congress could not in any case legally impose upon the officials of a State the duty of executing a law of the United States. The new law, therefore, which went with the compromise measures of 1850, provided in very imperative and rigorous fashion for the direct action of the federal authorities. The whole machinery of federal courts, commissioners, marshals, and deputies was put at the service of slave owners for the recovery of their runaway slaves; their simple affidavit was made sufficient proof of their right of ownership and recovery and of the identity of the negro claimed; federal marshals were made personally responsible for the successful execution of the writs of seizure and rendition; every private citizen summoned to assist was obliged to obey under heavy penalties; no doubt or difficulty or delay was anywhere permitted to be interposed if a master but made formal claim under oath.

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The execution of the law, vigorously pushed by the southerners,—pushed even against one-time slaves long settled at the North but safe until now against apprehension; evaded, protested against, even resisted with riot and force of arms in the North, bred irritation and excitement which no art of the politician could check, no counsel of prudence divert. It brought open contest of opinion wherever executed, and every question which compromise and makeshift had sought to quiet and put by burned with a new and fiercer flame. Opinion and action were not to be controlled now as they had been in the early years of the republic, when men took their cue from their leaders. The broad extension of the suffrage had put the fortunes of all parties and policies in the hands of a thorough-going democracy. The free, inquisitive judgments of common men determined now what the method of affairs should be. New voters were added to the rolls, it might be ten or fifteen thousand by the year, as the population grew unchecked the seasons through. Public prints multiplied, and spread news and opinion in ways incalculable by politicians, upon a scale which no man could reckon. Close upon two thousand miles were added every year to the railways of the country, and telegraph lines in the same measure. There was no longer any checking or anticipating the sweep of impulse and opinion among a people more and more knit together by intercourse, interest, and acquaintance. New men, a new generation, again crowded forward; parties could not dictate what they should think; parties were indeed themselves to be transformed and mastered, rather, by the new forces now free of the field.

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For two sad years Mr. Webster and Mr. Clay sought to keep the nation in hand, chiding every show of uneasiness or agitation under the compromise they had labored to effect; speaking of the measures of 1850 as the indispensable props of the constitution and of the Union itself; making all sober counsels of peace ring eloquent in every perfect phrase of conciliation and persuasion their genius could coin or their striking utterance and presence enforce. But quiet would not come at their bidding. Mr. Webster had lost his hold upon his own people. They had deemed his advocacy of the compromises a base and cowardly retreat from the high place of doctrine and of statesmanship he had held so gallantly against Mr. Hayne, and now thought his defence of then, but aggravation of his apostasy. Mr. Clay seemed already of another generation dead and gone. The new forces afield were not for his handling. Both men died with the infinite uneasiness of that last failure heavy upon them, Mr. Clay in June, Mr. Webster in October, 1852, fearing that they saw and knew what was to follow. The stage was clearing for another scene.

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It was, indeed, difficult until these older figures were withdrawn to realize how radically the scene had changed, how singularly confused and altered the field of politics had become. Mr. Clay, Mr. Calhoun, and Mr. Webster, the notable men who had now made their sad exit, had come into affairs forty years ago, upon the eve of the second war with England. In their lifetime the very character of the government had changed. In the days when they had entered Congress, themselves men of a new generation, the country lived under a sort of parliamentary system. Congress looked to the Executive for guidance. The President's cabinet was made up of the recognized leaders of the dominant party. The succession to the presidency was determined by congressional caucus, and the Secretaryship of State was looked upon as the post of succession to the headship of the government. Parties were organized under men who got their authority from training, and from close association with ruling groups of influential statesmen whose primacy in affairs no one dreamed of disputing. Massachusetts had her ruling coterie of authoritative leaders no less than Virginia. Her professional classes, her lawyers and ministers for the most part, determined her action in politics,—university men, most of them, who yielded precedence to training, to experience, to age, to learning as of course, and put young men by to await their turn. Among them, as among the Virginians, certain families enjoyed a prescriptive preeminence. Any Englishman might have found the air and the method of action in that school of affairs of the familiar kind of all tradition amongst English speaking peoples.

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The connection between Congress and the Executive was, it is true, private, not open or upon the floor of the houses. The President's official advisers did not appear in debate or take their places upon the floor as parliamentary leaders. The houses had by explicit vote declined to hear them there. Neither did they resign, as the King's ministers did, when the measures they suggested were defeated in a legislative vote. Their advice was given in private conference; they had no recognized responsibility for party legislation; they suffered no personal defeats and enjoyed no personal triumphs in Congress. But their influence was direct and powerful; and the government, for all its theoretical separation of parts, went forward as if of a single piece whenever the houses were of the President's party.

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It had stood so until John Quincy Adams became President, with no party at his back, the representative of a group, not of a national majority. Already, in Mr. Monroe's day, the "era of good feeling," in which party lines were fading out and the discipline of parties was relaxed, Congress had got ready, with new standing committees, to act independently and on its own initiative. When Mr. Adams came in it took leave to criticise and resist rather than follow him; and after Mr. Adams came the democratic upheaval which made a return to the older principles and methods of action forever impossible. It was noteworthy that there had fallen, with that change, a blight of final discredit upon the congressional caucuses which had for so long assumed to nominate the Presidents. Scattered state legislatures had made nominations of their own at the very dawn of General Jackson's day; conventions, called together by no party, by no group of political leaders even, but representing, it appeared, only some special class of citizens or some single locality, had volunteered also their advocacy of this man or that for the presidency. The political intimacy between Congress and the Executive having been lost, Congress lost also its initiative in choosing the nominal leader of the nation. That privilege passed to men such as those who had so shrewdly and so successfully set the currents of opinion running for General Jackson: private managers who knew how to use the machinery of newspaper comment, of busy personal correspondence, and of local organization to make opinion and control elections.

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The process of change was a little obscured while General Jackson was President. No man had ever dominated the politics of the country with a more complete or unmistakable mastery. Congress did his bidding as willingly and as promptly as it had done the bidding of Washington or Jefferson. Few men stopped then to note the fact that he purposed nothing constructive, that his work was negative, reactionary, directed towards the "simplification" of the government and the tearing down of what the Federalists had built up. Neither did it appear at once what it meant that the President was making the patronage of office, not the action of Congress, the real instrument of his power. He gave office to men who kept the discipline of parties at the elections, to local political managers, to the editors of serviceable newspapers, to those who watched and sought to govern the movements of popular opinion.

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When he was gone it began to appear what the whole change was which had been brought to pass. It had become the habit of all parties alike to make their nominations for office in organized party conventions, and to look to the make-up of the conventions through the local managers who expected to profit by their success. The convention which nominated a President formulated also the programme of its party. Its declarations of principle bound the President whom it nominated, not only; they bound also the representatives of the party in Congress. And yet the convention was not elected for any kind of responsible service. Its members were not men picked out to frame legislation and test it by the processes of debate, or for any of the slow deliberations which make sound policy. They met to act without debate. They sat only for a day or two; got no real acquaintance with each other's principles or motives; acted hastily and under excitement. What was of more consequence still, they were chosen by the management and nomination of unknown men, the self-constituted party overseers of the several localities from which they came; men whom native shrewdness, or watchful, time-serving sagacity had made masters of the arts of nomination and election: small office holders, busy talkers, the editors of rural newspapers, the ruling spirits of local political clubs.

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Here was a wholesale decentralization of politics. Opinion began to be made by a sort of incalculable plebiscite. Party leaders found themselves, not giving suggestions, but taking them from the general drift. Congress presently showed itself apt rather to register the impressions which came to it, it hardly knew how, from the innumerable minor politicians of its dominante party than to originate measures and policies of its own. Party action yielded, too, to new forces of disintegration: for this new machinery of initiative facilitated division as well as organization. If old parties could be ruled by conventions, new parties could be created by them. It presently became a familiar thing to learn of the existence of a new party by learning of the assembling of a new convention which had put forth a new platform, and nominated a new candidate for the presidency. Every year set for a presidential election was now apt to yield some such significant symptom of shifting opinion, to show some new party formed or some recent party grown strong and aggressive. At any time the agitation of new questions or the alteration of old might produce a familiar fruitage of conventions. Men of independent initiative might at almost any time of excitement get their separate following, improvise their separate organization, and confuse the field of action by the introduction of what claimed and tried to be a new party.

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When, in 1840, the Whigs put Mr. Van Buren from office it looked for a brief space as if the older traditions of the government were to be revived, as if Congress and the Executive were once more to draw together under the leadership of men both in the President's cabinet and on the floor of the houses. But General Harrison's death made that once more impossible. Mr. Tyler pleased the Democrats as little as he pleased the Whigs; and the two branches of the government drifted further apart than ever. Once again, in 1848, the Whigs won; and some of their chief men became the President's advisers, Mr. Webster among them, as at the outset of General Harrison's term. But there was only a faint flicker of the revival of tradition in that. It was too late to go back to the old ways of administration.

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In all ordinary seasons, while the old parties kept their discipline and their prestige, mere flurries of independent action might cause politicians little or no uneasiness; but in seasons when men's minds were likely to take a touch of passion from the questions of the hour there was no telling what a new convention might portend. This new and facile machinery of agitation was as suitable for acts of principle as for schemes of manipulation. Mr. Clay and Mr. Webster looked from their death-beds upon a strangely altered scene. Passions were astir which might shake parties to pieces at any moment. The rule of parliamentary leaders belonged to an age gone by. Compromises arranged in Congress were conclusive of nothing should the thought of the nation once shake the foundations upon which they rested.

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Even yet, however, the signs of change were partially obscured. A presidential election fell in that year, and parties seemed steadier than before in their choice of candidates and issues. A convention of Free Soilers met again (August 11, 1852), as four years before, and again spoke their uncompromising programme very plainly: "No more slave States, no more slave Territories, no nationalized slavery, no national legislation for the extradition of slaves"; but their following proved less numerous than it had been in 1848. The Whig ranks were not a little thinned and disordered by the uneasiness and defections of a time of dread and doubt; and when the party convention, in June, put forward General Winfield Scott, a third popular soldier, as its candidate, and declared itself entirely satisfied with the compromise of 1850, many a man of conviction and initiative turned away from it, as from a party which had lost courage and statesmanship. But the Democrats acted with their old-time confidence and unanimity, and won, upon a declaration of views which committed then, not only to the maintenance of the compromise but also to an unqualified adoption of "the principles laid down in the Kentucky and Virginia Resolutions of 1798 and 1799 and the Report of Mr. Madison to the Virginia legislature in 1799,"—principles which they declared themselves resolved to carry out "in their obvious meaning and import." Such a programme would have satisfied even Mr. Calhoun. They had not been able to nominate any one of their recognized leaders for the presidency; for their convention had acted, as always, under a rule which prescribed two-thirds as the majority necessary for a nomination, and neither Mr. Cass nor Mr. Buchanan nor Mr. Douglas had been able to command so large a support; but their choice had fallen upon Mr. Franklin Pierce, of New Hampshire, whose handsome person and prepossessing manners, whose record as a gallant commander of volunteers in the Mexican war and an honorable, even if undistinguished, representative of his State in Congress, they could look upon with some degree of complacency.

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They supported him with every appearance of heartiness, and carried every State for him except Vermont, Massachusetts, Tennessee, and Kentucky, securing two hundred and fifty-four electoral votes as against General Scott's forty-two. The popular vote for Mr. Pierce exceeded that for his two opponents combined by less than sixty thousand out of a total vote of more than three millions; but it was noteworthy how widespread and general the success of the Democrats had been; how completely they had closed the breaches made in their ranks four years before. Apparently they controlled both the country and the government.

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Not that the country was quiet or at ease. Opinion shifted feverishly, incalculably, as if moved and driven by some unquiet spirit which it sought by some means to lay or escape. The Democrats had won in the elections because the Whigs had suffered hopeless division of opinion and had already in fact fallen asunder upon the question of slavery. The Democrats alone, with their chief strength at the South, kept their organization and their power of united action. Men who could not act with them now looked for a party, and yet feared to form one which should bring the sections face to face and fight the slavery question out. And yet they could not thrust that question into the background or forget it. Territories were always making and to be made. That unresting host forever moving upon the western plains and rivers must presently be told what Congress meant itself to do, or let them do, with regard to the use and ownership of slaves. Root-and-branch opponents of slavery were very actively and aggressively making opinion against it without too tenderly considering either the politicians who wanted to think of something else or the merchants and manufacturers who dreaded to see peace and trade disturbed. During the very summer of the presidential campaign (1852) Mrs. Harriet Beecher Stowe had published Uncle Tom's Cabin, a stirring story of the life of a southern slave, and the book had done more, as it were upon the instant, to bring opinion to a quick awakening than any score of political pamphlets could have done. Its moving scenes, its pathos, its humor touched with tears, its air as of the real tragedy and pity and hope of life acted upon sensitive minds with a power they could not resist; and bred everywhere a slow passion of philanthropic reform which politicians had presently to look to. It was not a true picture of slavery. It was a romance sprung out of the sympathetic imagination of a refined and sensitive woman, whose pity kindled at every thought of the black bondsmen at the South. It told, unquestionably, of what slavery might produce, of what no doubt it did produce upon occasion, of the terrible possibilities and in some part the terrible realities of the master's power and the slave's subjection; but no one could read in it the real life of the negro or take from it any just conception of the system of slavery as administered by the vast majority of southern masters. Those who read it, nevertheless, knew no other picture than this, and were filled with pity and deep horror. Politicians had presently good reason to know what this new engine of agitation meant.

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Still, those who chose looked another way and refused to be drawn into this matter. All who felt the older motives of politics strong within them and dreaded upheaval declined to touch the critical business. Men of uncompromising free soil convictions, on the other hand, whether Whigs or Democrats hitherto, slowly drew off from the regular parties and formed outspoken plans of opposition, frankly making slavery their issue. But the majority of Democrats adhered steadily to their party, and the majority of Whigs dreaded the threatened conflict and doubted its outcome; sought any diversion rather than make this ugly issue the acknowledged and only line between parties. Many persuaded themselves that the most immediate peril of the country came from the sudden and enormous influx of foreigners which recent years had witnessed. The great flood poured in at the eastern ports and left its most unwholesome deposits there; sent on the best things it carried to the western farms and the open regions of the interior. It brought men whom revolution had thrust out of the old world, men who wanted power and were apt at intrigue, restless men, many of whom were outcasts, some of whom were desperadoes. Now at last there came even men out of the alien Orient to the lands by the Pacific. Here was cause enough for uneasiness. If men looked for an issue, here was one: the preservation of the country's institutions in the face of such inroads, the maintenance of a safe ascendency in affairs for those born and bred to the politics and manners of America.

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So long ago as 1844 matters had shaped themselves very sharply on this issue in New York and Philadelphia, the cities most threatened by the unwelcome invasion. Now feeling began to gather head upon a greater scale. A secret "Order of United Americans" was formed, whose motto was, "Americans must rule America"; and to this order many uneasy men were drawn to whom its principles were a pleasant relief from the stress of the slavery question; as well as all those who dreaded or hated the foreigner or feared to see the Roman Catholic church of the Continent brought into power in America along with its thousands of adherents crowding in. Only those who were advanced to the highest ranks of the Order's hierarchy were inducted into its full mysteries; the rest professed entire ignorance of its secrets, often of its very existence, and were dubbed "Know Nothings" for their reticence.

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In some quarters the rising philanthropic feeling of the time found expression in a very pronounced renewal of the temperance movement. The year 1851 witnessed the adoption in Maine of a stringent law which absolutely forbade the manufacture or sale of intoxicating liquors within the State; and many earnest people elsewhere hailed the novel statute as a hopeful promise of social betterment, an example to be emulated. But such things did not yet draw to them the deeper currents of the country's thought. To every man who looked thoughtfully upon the face of affairs the slavery question obviously stalked obtrusive at the front of all policy, despite compromises and evasions. It was the southerners, besides, who seemed always to force the fighting. Whether the question were the reception of a petition against the continuance of the slave trade in the District of Columbia or the acquisition and government of new territory or the admission of a state into the Union, they let no opportunity go by to make known their claims and rights under the constitutional arrangement. They saw with the keen insight of those who lose that the game of growth and extending power went steadily against them. They valued the Union as dearly as the men of the North, were bent upon its preservation as earnestly and honorably as their compatriots of any section; but they were convinced, with good reason, that its preservation depended upon the maintenance of an equilibrium between the sections, and they were determined, with Mr. Calhoun, to make their fight now, while yet there was a chance to win. They waged it, accordingly, like men suspiciously on guard in the face of a subtile enemy, and upon occasion deeply irritated even their friends with their noisy and ceaseless protests, driving their enemies to a like watchfulness and aggression.

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Upon the assembling of the first Congress of Mr. Pierce's administration fortune seemed for the nonce to smile upon them. They were accorded a victory sudden, unlooked for, radical, costly, which instantly put a new face upon affairs,—nothing less than the repeal of the Missouri compromise and the opening of every Territory that remained to slavery. No one but Mr. Douglas would have had the audacity to attempt so revolutionary a measure; but Mr. Douglas had the hardihood of the frontier and the initiative of a natural leader of men. Stephen A. Douglas was one of the senators from Illinois. He had gone west out of Vermont when a mere lad, had served a rough apprenticeship in the new country, had made himself a lawyer and a judge of the supreme court of the young State before he was thirty, had entered the House of Representatives in 1843, at thirty, and the Senate in 1847, at thirty-four, and was now in his prime, showing at their full vigor the extraordinary qualities which had won him his quick advancement. His short and massive figure, his square head, steady, deep-set eyes, and mouth cut straight and firm, in lines unsensitive and full of will, bespoke him the man he was: a man to make and have his way, fearless, sincere, compact of force; commanding others, but not to be commanded himself; coarse-fibred, daring, ready witted, loud, and yet prepossessing withal, winning friends and receiving homage.

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He watched as keenly as Mr. Benton did the progress of the West, and had become, by natural selection, chairman of the Senate's Committee on Territories. Across the broad "Platte country," he knew, which stretched all the way from Iowa and Missouri to the foot of the great Rockies, lay the chief highway into the far West. He feared, in common with other western men, that it might be closed against travel by treaties made at Washington with the Indian tribes whose hunting fields lay upon it, and all the movement of life and settlement in the West embarrassed by the erection of an Indian reservation athwart the great route; and ever since he came into Congress, ten years ago, he had been pressing the question of its settlement and organization as a Territory instead. In the session of 1853-54 he had his will in the matter at last, and brought on political revolution besides. As chairman of the Senate Committee on Territories, he introduced, early in January, 1854, a bill which provided for the organization of the Platte country as the Territory of Nebraska; but; finding many features of the bill unacceptable to the Senate, presently withdrew it and substituted another (January, 23d) which provided for the creation of two Territories, Kansas and Nebraska, the one lying immediately to the west of the once disputed ground of Missouri, the other lying to the north beyond Iowa, upon the great plains through which the Platte found its way to the Missouri. The first measure had provided that the people of the new Territory should make their own choice in the matter of slavery; in the second measure the Missouri compromise was explicitly "declared inoperative and void," because "inconsistent with the principles of non-intervention by Congress with slavery in the States and Territories as recognized by the legislation of 1850." The healing work of two generations of statesmen was destroyed at a stroke. Mr. Douglas deemed such a course dictated by "a proper sense of patriotic duty," in order that the compromise measures of 1850 might be given their full effect, the right of Congress to interfere with the question of property in slaves clearly negatived, and the entire sovereignty of the people in their self-constituted groups, first as Territories and then as States, conspicuously set up, as the doctrine which seemed to him most likely to solve every practical difficulty. Mr. Pierce, the President, pronounced the bill a return to a "sound principle, which the compromise of 1820 infringed upon."

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It was in fact matter of revolution. The southern members eagerly accepted what they had not asked for; northern men who were of the triumphant Democratic ranks blindly followed Mr. Douglas; and by the end of May the bill was law, spite of protests, spite of every sign of the profound and painful sensation it was to make, the country through. Mr. Seward and Mr. Chase were no longer alone in the Senate; Hamilton Fish, of New York, Solomon Foote, of Vermont, Benjamin Wade, of Ohio, Charles Sumner, of Massachusetts stood with them to contest the ground against slavery every foot, by every means of word or action. But they availed nothing against the confident majorities which Mr. Douglas led, and the thing was done.

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Strict party discipline was maintained in the houses, and Mr. Douglas was unmistakably the leader of the Democratic majority. He might almost be said to be for the moment the leader of the government. Congress had learned very thoroughly how to do without the leadership or suggestions of the Executive; had organized itself very efficiently for action on its own initiative. The House very readily yielded itself to the control of its Speaker, whom it was more and more coming to regard not only as its presiding officer but also as its political leader. Its committees were constituted by his appointment, and it more and more gave itself over to the guidance of its committees. Mr. Polk, when he was Speaker, had set the example of constituting each committee in such a way as to make it an instrument for carrying the purposes of the leaders of the majority into effect in legislation; and the machinery of party action was every year growing more perfect. The Senate chose its committees by ballot, and debated their recommendations with a thoroughness which the House, with its more numerous membership, could not often emulate; but the committees of the Senate, no less than the committees of the House, formulated every action decided upon by the party leaders. The chairman of each committee, indeed, enjoyed an initiative in respect of the matters referred to his committee which often escaped the control of the leaders when he chose to ignore them. It was in part because of this new, efficient, and thorough-going way of action in Congress that Presidents and their cabinets fell more and more into the background in the origination of policy. Mr. Douglas had wished to be President: but was much more powerful in his real place of leadership on the floor of the Senate. Mr. Pierce accepted what he planned. He had his way with regard to Kansas and Nebraska as he could have had it in no other capacity than as chairman of the Committee on Territories.

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No man could have wished to see his success produce a more dramatic effect. It was instantaneous. Kansas became at once a veritable battle ground. There was a fatal ambiguity in the law. Did it mean that the people could make their choice with regard to slavery now, while they were yet but citizens of a Territory, through their territorial legislatures, or must they wait until they made their formal constitutions as states and obtained admission into the Union? Whatever its meaning, the matter was evidently to be decided by numbers, by filling the inchoate state with a prevailing majority out of the South or with a prevailing majority out of the North,—by the conquest of effectual occupation. And so each section began to pour its settlers in. Nebraska was out of the question. It lay too far to the northward; no one in the South looked to see slavery make its way thither. But men must go to Kansas, and go at once, ready for any heat of conflict.

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It was singular how the strong discipline and self- confident spirit of party held the Democrats together in face of the country's manifest sharp revulsion against what they had done. Too steady for panic, too sure of the practical soundness and efficacy of the radical measures they had entered upon to be seriously disconcerted, they held doggedly on their way. But with the Whigs it was different. Their party had been short-lived at best; they had looked chiefly to the North for support; they had gone to pieces in the election of 1852 as completely and as irretrievably as the Federalists had gone to pieces in the election of 1800; their adherents were afield looking for a new allegiance, a new way of action. Some were simply "Anti-Nebraska men," opponents of the extension of slavery; some knew not how to vote; some crowded, for diversion, into the ranks of the Know Nothings. The elections of 1854 and 1855 brought strange surprises. The Know Nothings won a sudden series of successes. In the autumn of 1854 they elected their candidates for the governorship in Massachusetts and Delaware and put close upon a hundred members into the federal House of Representatives. In the autumn of 1855 they carried New Hampshire, Massachusetts, Rhode Island, Connecticut, New York, Kentucky, and California, and fell but a little short of majorities in six of the southern States. Their successes filled the House of Representatives and the offices of government in the States with new and unknown men. The House of Representatives which met in December, 1855, was so variously and whimsically compounded of Anti-Nebraska men, Free Soilers, Democrats, southern pro-slavery Whigs, Know Nothings who favored the extension of slavery and Know Nothings who opposed it, that nothing was certain of it except that it contained a majority against the administration.

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But another year (1856) brought the opposition together into a clearly defined "Republican" party, into which all Anti-Nebraska men, whether one-time Democrats or one-time Whigs, whether for a little while Free Soilers or for a still shorter time Know Nothings, were drawn with united purpose. Many things besides Mr. Douglas's revolutionary Kansas-Nebraska bill had given heat and cohesion to their gathering opposition Before that bill had been introduced the administration had purchased of Mexico (December 30, 1853), through Mr. James Gadsden, of South Carolina, the minister of the United States, forty-five thousand square miles of additional territory, lying at the south of the Gila River, to round out the acquisitions of 1848, the root of controversy and compromise. The year the Kansas Nebraska Act became law, Mr. Pierce had, moreover, at the solicitation of southern men, directed the American ministers to Great Britain, France, and Spain, Mr. James Buchanan, of Pennsylvania, Mr. John Y. Mason, of Virginia, and Mr. Pierre Soule, of Louisiana, to confer and report to him upon the desirability of the acquisition of Cuba by the United States. They met at Ostend, in Flanders, and reported that in their opinion the acquisition of Cuba would be highly advantageous to the United States; and that, rather than suffer it to be Africanized, as Santo Domingo had been, the United States would be justified in wresting it from Spain by force, if Spain would not sell. News came now and again, too, of armed expeditions out of the southern ports against some Central American state, and of repeated, though unsuccessful, attempts, by force or strategy, to gain possession of more territory to the south of Texas. There was no evidence that these lawless raids had any support or countenance from the federal government or from any government, or responsible person even, in the South itself; but the painful impression they made chimed ominously with that made by the Gadsden purchase and the "Ostend manifesto." There seemed an organized effort afoot to extend upon every hand the area of slavery.

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The new party of opposition, however, did not perfect its organization or draw its strength effectively together soon enough to win the presidential election of 1856. A remnant of the Whig party was still in the field; the Know Nothings did not know that they had already lost their following, and put candidates confidently into nomination; the Republicans had still to compound a Free-Soil-Anti-Nebraska Whig creed and find a candidate to please their one-time Democratic supporters,—John C. Fremont, the dashing young soldier and explorer who had found the passes of the Rockies and taken part in the conquest of California. The Democrats, keeping still a virtually unbroken organization in the face of foes divided, elected their candidates, Mr. James Buchanan, of Pennsylvania, and Mr. John C. Breckinridge, of Kentucky, by the safe majority of fifty-two electoral votes. But the popular vote for their candidates had fallen nearly four hundred thousand short of that cast for their opponents; the Republicans had carried every northern State except Pennsylvania, New Jersey, Indiana, and Illinois; and there was in the success of the Democrats, it was to be suspected, nothing but a temporary triumph.

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Widespread financial distress clouded the winter that followed the presidential election, and filled all the year 1857 with its deep disquietude, now sharp and touched with panic, now a slow, dull lethargy in which merchants and manufacturers and transportation companies and bankers merely waited and did not hope. The sudden growth of enterprise and commerce which had followed the rapid extension of railways and the establishment of steam navigation upon the seas, to which the discovery of gold in California had given added stimulation, and which every item of the steady growth of industry and of the nation itself had assisted to keep in heart these ten years, had inevitably bred mere speculation, tempted men to unsound ventures, added excitement to confidence, harebrained scheming to the sober making of plans, and credit had at last been over strained and wrecked by dishonesty, miscalculation, and flat failure. It seemed to public men that the tariff, as it stood, contributed to the distress of the time, because it steadily drew into the Treasury of the United States a surplus which was just so much money withheld from circulation. During the short session of Congress which immediately preceded the inauguration of Mr. Buchanan, all parties amicably united, therefore, in putting on the free list many of the raw materials of manufacture hitherto taxed and in reducing the general level of duties to twenty-four per cent.

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No debate, no legislation, concerning the tariff had ever been so temperate, so good natured, so full of amicable concert and quick accommodation since the war of 1812. It was a notable sign how the interest of parties had been withdrawn from old questions and fixed upon new. The financial depression and slow recovery of credit which made the year 1857 memorable among men of business constituted no part of the strain of politics. It was of infinitely more consequence that two days after the inauguration of Mr. Buchanan the Supreme Court of the United States uttered, through Mr. Taney, its Chief Justice, an opinion which went even beyond the Kansas-Nebraska Act in its radical rejection of the Missouri compromise. The case was that of Dred Scott, a negro of Missouri, whom his master had taken first into one of the free States and then into the territory from which slavery had been excluded by the legislation of 1820. The negro sought after his return to Missouri and the death of his master, to obtain his freedom, on the ground that his temporary residence on free soil had operated to annul his master's rights over him; but the court decided against him. More than that, though it left the proper field of the case itself, and therefore uttered mere obiter dicta, in doing so, it went on to declare that the legislation of 1820, which had forbidden slavery in part of the territory of the United States, must be considered unconstitutional and without legal effect. Slaves, as such, Mr. Taney argued, for the court, were not citizens, in the contemplation of the constitution, but property merely; neither Congress nor the territorial governments, which derived their whole authority from Congress, could legally legislate with hostile purpose against any kind of property belonging to citizens of the States; slave owners might carry their slaves, as they might carry any other property, where they chose within the federal domain; none but a State could exclude their lawful bondsmen.

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Here was not only a blow in the face for all Free Soilers, Anti-Nebraska men, and Republicans, but a blow dealt straight at Mr. Douglas's doctrine of popular sovereignty as well. The court's opinion suffered no interference with slavery by any authority but that of a full-fledged State, and the exclusion of slavery from Territories was out of the question. Out of the question in law, it seemed, but yet not in fact. How the fact was to be settled the country had but to look to Kansas to see. There the rush of numbers and the clash of armed men had played a quick drama out, stained by blood and ruffianly force. Men had come first from Missouri near at hand, and out of the slave-holding States which lay back of her, and then from the free States of the northwest and far New England, some upon their own private errands of change or profit or adventure, some in organized bands sent forward by public or private subscription, by individuals or societies, engaged to see the crusade out upon the one side or the other. Men of initiative in the North had accepted the Kansas Nebraska Act as a challenge to go and take the land and hold it against slavery, by peaceful means or by force; had bought supplies and arms, and had equipped sturdy men by the score for the journey and the strife at its end. The lawless of the one faction had vied with the lawless of the other in acts of violence and even of treachery, and all the country had gazed these three years upon the dark things done in "bleeding Kansas."

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Until this year of Mr. Buchanan's presidency the pro-slavery settlers had kept the upper hand and controlled for the most part the legislation of the Territory; but by the autumn of that year their majority was lost, their control wrested from them by the settlers out of the North, crowding in at last in numbers greater than their own. Their final act of power was to call a constitutional convention and submit to the vote of the people a constitution which established slavery. The question submitted to the people's vote was not, however, the adoption or rejection of the constitution, but merely its adoption "with slavery" or "without slavery." The clauses by which it directly sanctioned slavery were by no means the only clauses which affected the critical matter. It contained, besides, numerous provisions which were not to be affected by the vote, which threw effective safeguards round about existing property in slaves, quite independently of the establishment of a slave-holding system; and great numbers of anti-slavery men, not being suffered to vote against the instrument as a whole, would not vote at all. It was consequently adopted "with slavery" and sent to Congress along with the usual application for admission into the Union. The anti-slavery legislature of the Territory, elected in the autumn of 1857, immediately ordered the instrument submitted as a whole to the people's vote, and it was rejected by an overwhelming majority, the pro-slavery men in their turn refraining from voting.

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Mr. Buchanan, finding himself in fact the head of a party whose chief strength lay in the South, and yielding more and more as events thickened to the influence of the southern men in his cabinet, favored the admission of the Territory under the constitution adopted "with slavery," as in technical form at any rate the legal expression of the wish of the people of the Territory. But Mr. Douglas, no mere partisan, after all, but a man steadfast in the principles upon which he had professed to act, refused to be a party to the act. He knew, as the whole country did, that this constitution, sent in the name of Kansas, was not in fact the constitution preferred by a majority of its people. To adopt it would be, not the recognition, but the repudiation of popular sovereignty. There were Democratic majorities in both houses, but members enough followed Mr. Douglas to defeat the resolution of admission, and it failed. A line of cleavage had shown itself within the Democratic ranks, and the plot of politics was sensibly thickening.

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Another year, and it was more evident than ever where the issue cut and how the opinion of the country was turning. The elections of 1858 disclosed very serious losses for the Democrats. Five Republican senators were added to the twenty already in active and aggressive opposition; the Republican representation in the House was increased from ninety-two to one hundred and nine; the President's own State was carried for the Opposition; and no observant man doubted what the causes were. They were indeed fixed with dramatic force in the mind of the whole country by the circumstances of Mr. Douglas's own barely successful struggle for re-election to the Senate. The Republicans of Illinois put into the field against him a man new, like the party itself, but racy of the soil and of the time. Abraham Lincoln was forty-nine years old, Mr. Douglas's senior by four full years; but, though he came late into the view of the nation, he came with toughened fibre, athletic in mind and body. He had struggled out of meanest poverty to a place among the men who led by processes familiar enough upon that rough frontier, where every man had his own way to make, his own training to get, for himself, whether in books or in action; but the genius he had put into the task had wrung out of the old processes a new and greater type of man. He had had the instinct of the student in the midst of affairs and had made himself a master of ideas, and of language as an instrument of mastery. He had devised for himself straight thrusts of speech and a use of words that acted always like the application of light,—spoke like a swordsman who knows not only his fence, but also the temper of his blade and the seats of life which the sword can touch.

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Mr. Douglas knew his antagonist, and knew that he had arranged no light matter when he had agreed to meet him in public debate, up and down the State, upon the issues of the day. All the country knew that a novel and very striking figure, the figure of an untutored master among men, had emerged upon the general field of politics when it heard what the debate had brought forth. "A house divided against itself," Mr. Lincoln said, in phrases which stuck in the mind, "cannot stand. I believe this country cannot endure 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." What, he asked Mr. Douglas, became of the doctrine of popular sovereignty if the Dred Scott decision was accepted as law? The territorial legislatures, replied Mr. Douglas, could hold slavery back, if not by actual prohibition, at least by hostile restriction and impediment. Then a territorial legislature can do what Congress itself cannot? asked Mr. Lincoln,—and the country knew, the Democrats whom he essayed to lead knew, how embarrassed Mr. Douglas had been for an answer. He won his seat, but he lost his following at the South.

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That same year, the elections notwithstanding, Mr. Buchanan urged upon Congress, in his annual message (December 6th), fresh territorial expansion at the South: the acquisition of Cuba, vigorous action on the Isthmus against Nicaragua and Costa Rica, and a protectorate over the nearer parts of the Mexican Republic, which appeared to be on the point of going to pieces. No indifference, no hostility abated his zeal in these matters. He could get nothing; the Republicans held the balance of power in the House of Representatives since the election; policy stood still there. But out of doors the rising passion of parties took its natural course.

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The autumn of 1859 brought a sinister thing to light which startled the whole country, but the South most deeply, with its disclosure of what passion, though it were but individual passion, might lead to. One John Brown, come out of Kansas for the purpose, attempted of a sudden, on the night of Sunday, October 17, 1859, a liberation of the slaves round about Harper's Ferry, in Virginia, madly hoping to set a general insurrection aflame and bring emancipation on by force. The attempt failed miserably, and Brown was sent to the scaffold; but that was not the whole of the matter. The striking character and self-forgetful passion of the man held the attention and moved the spirits of every one who looked upon the event to heed it. He was a mad fanatic, but no common rascal and adventurer. He had gone, four years before, out of Connecticut, with his four sons, to throw himself into the struggle against slavery in Kansas, and had got a price set upon his head there for lawless violence and massacre; but there was in him the spirit as if of a blind and maddened crusader; he fought and did deep evil, not for himself, but for a cause; and men held their breath at thought of him as if at sudden sight of some fateful omen. To the eyes of the southern men his image loomed big, as the very embodiment of the party arrayed against them and the institutions they lived under. Brown was found to have obtained money and arms by subscription out of the North. They had been supplied him, it turned out, for use in Kansas, not for use at Harper's Ferry; but the southerners made no discrimination in that matter. In either case, it was aid given to a man who was expected to fight slavery at any cost, and without reckoning of law or consequences. They would not now distinguish between that and the objects of the Republican party itself.

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They coupled this fatal raid with the systematic 'and successful attempts of the northern States to nullify the Fugitive Slave Law. Runaway slaves seized under that law had again and again been rescued by force, and the rescuers had escaped punishment by the action of friendly juries and the systematic application of the writ of habeas corpus. Every possible obstacle had been put in the way of the operation of the law by state statutes,—lawyers had been disbarred for acting for those who claimed the runaways, the use of state prisons had been denied, and state officers had been heavily fined for participating in the execution of the federal enactment.

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While the impressions made by the unhappy affair at Harper's Ferry were still vivid, while the heat it had engendered was still at its height, the presidential campaign of 1860 came on, and the havoc sectional feeling had made was laid painfully bare. The Democratic party was at last hopelessly rent into factions, divided, as was inevitable, upon the question of standing, with Mr. Douglas, for the principles of the Kansas Nebraska legislation, of the sovereignty of the people of a Territory no less than of the people of a State, or, with the southern men, for the extreme doctrine of the Dred Scott case. No agreement was possible; the men of the one view and of the other had come at last to the parting of the ways. The usual party convention was tried, but was broken at once into factions, each of which tried to rally the party to itself in a separate convention of its own. The one faction nominated Mr. Douglas; the other Mr. Breckinridge, the Vice President. The Republicans, meeting in Chicago, where the ardent enthusiasm of the Illinois men for their newly risen champion was felt at its full, put aside Mr. Seward, whom the country and the party itself had confidently expected to see named, and nominated Mr. Lincoln for President. A third party, heir of the Know Nothings, but strengthened also by many conservative men who had despised Know Nothingism and meant now merely to hold the country off, if they could, from all extremes, met and made its nominations also, calling itself the "Constitutional Union" party, and avowing as its simple creed "no political principle other than the constitution of the country, the union of the States, and the enforcement of the laws."

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In the election which ensued almost every man who doubted whither to turn with his vote acted, when the day came, with the Republicans, and Mr. Lincoln was elected President. The electoral vote was to be, one hundred and eighty for Mr. Lincoln, one hundred and twenty-three for his three opponents combined. With the exception of four votes won at a hazard in New Jersey, which had divided its votes between Mr. Lincoln and Mr. Douglas, the Democrats had obtained not a single electoral vote in the North or West. Virginia, Tennessee, and Kentucky had cast their votes for Mr. Bell, the nominee of the "Constitutional Union" party; the rest of the South had voted for Mr. Breckinridge. Mr. Douglas was to receive the nine votes of Missouri and the three which New Jersey had withheld from Mr. Lincoln. It was an ominous thing, nevertheless, that, despite his undoubted majority in the electoral college, the election had gone against Mr. Lincoln, reckoning by the vote of the people, by a majority of close upon a million out of a total vote of but a little more than four millions and a half. In almost every State that Mr. Lincoln had carried the vote for Mr. Douglas had trodden close upon the heels of his own. The total vote had been 4,682,069. Of this Mr. Lincoln had received 1,866,452, Mr. Douglas 1,376,957, Mr Breckinridge and Mr. Bell together 1,438,660. In the North and West alone the vote cast against Mr. Lincoln had been 1,575,000. In Oregon and California, whose electoral votes he was to receive, the aggregate opposition vote had been nearly twice that cast for him. It was a deeply perilous thing that such a victory, won upon such issues, should have been won so narrowly, and through a minority of the nation.

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Before Mr. Lincoln was inaugurated seven southern States had withdrawn from the Union, and revolution was upon the country. The southern leaders of the extreme school of state rights and the doctrine of the Dred Scott case had consciously, avowedly staked every thing upon the election, and accepted the result as conclusive of what self-respect and political exigency demanded of them. They looked upon this coming into power of the men of a minority which had set itself to check slavery and to shut the slave-holding States in, in order that they might be thrust from their place in the politics of the nation, as a thing fatal to the very principles of the partnership formed in those first days when the constitution had been framed, and accepted as a pledge of equality between the States. The Republican party had, indeed, always and with all proper emphasis disavowed any wish or intention to lay any hand of molestation or change upon the domestic institutions of the South itself. The anti-slavery men who were abolitionists were little more numerous in 1860 than they had been in 1840, and those who spoke for the Republicans vehemently disclaimed all alliance or sympathy with them. But, though they did not mean to lay the axe to the root of the tree, the partisans of Mr. Lincoln did mean to gird it about and let it die where it stood, as one of the senators from Louisiana passionately told them. They meant by law and force to keep slavery from getting any growth or outlet whatever. They meant also to nullify, if they could not repeal, the laws whose adoption the constitution commanded for the apprehension and return of runaway slaves, and put the whole system of slavery, so far as they might within the formal limits of the fundamental law, beyond the recognition or countenance of federal statute. Their creed and their actions alike were conpounded of hostility towards the South; and the challenge of their success was direct and unmistakable. Men of southern mettle could not disregard or decline it.

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Pride and self-vindication seemed the more imperatively to command that it should be accepted by the southerners because of what their opponents had said, with sneer and taunt and bitter detraction, about the system of slavery, which they maintained and stood for. No man who candidly looked back to the indisputable records of the colonial time could justly deem them responsible for its establishment. They had very earnestly and again and again protested against the traffic in slaves which the crown permitted, and the inevitable growth of servile labor which that hateful traffic brought in its train, to the thrusting out of white men and of the free labor which everywhere else gave dignity and efficiency to English communities; but the authority of king and parliament alike had forced and fostered it until it had seemed as if the entire slave trade of the world centred at their ports. Free hired labor had been once for all driven out, whether they would or no; the black people had multiplied among them until emancipation became a thing not to be ventured upon; work in the wet southern rice fields, upon the broad acres of tobacco, amidst the sugar cane, and out in the hot furrows of grain came at length, with long use and fixed custom, to seem a thing which only the African could stand. The northern States, ere separation from England set them free to be quit of slavery, if they chose, by emancipation, had diligently sought to rid themselves of the few negroes who had unsuitably found places of service in them by sending them also, as occasion offered, to the southern slave markets. Finally, when fate and slow habit and their own very multitude had fixed them, millions strong, upon the South, a base and support upon which all society seemed to rest, their labor, already indispensable, became of a sudden immensely profitable in the blazing sun of the cotton fields by reason of the invention of Whitney's cotton gin.

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The system of slavery necessarily deprived the South of a body of small, yeomen farmers; but small farms abounded, nevertheless. A great majority of the southern farmers owned no slaves at all. If they could not afford to hire negroes from some neighboring planter who had hands to spare, they worked their fields themselves, like farmers everywhere. If they could afford to hire a negro or two, they worked with them, side by side, in the fields.

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It was the accusation of moral guilt in the matter of slavery that stung the southern men most intolerably. They knew with what motives and principles they administered it, and felt to the quick the deep injustice of imputing to them pleasure or passion or brutal pride of mastery in maintaining their hold upon the slaves. Many a thoughtful man amongst them saw with keen disquietude how like an incubus slavery lay upon the South; how it demoralized masters who were weak, burdened masters who were strong, and brought upon all alike enormous, hopeless economic loss. Although the productive labor of the South was almost exclusively agricultural, more rich land lay waste and untilled there than in any other region of the country held in use and occupation. The indolent slaves did not work as free laborers would have worked, and could not be made to. Intensive methods of farming were out of the question. Land had first to be used, without artificial renewal, and then allowed long to lie fallow and get its recuperation by the slow processes of nature. The narrow margin of profit under such a system of labor and tillage constantly threatened to disappear altogether. And yet the care of the slaves, their maintenance like a huge family of shiftless children, remained a duty and a burden which the master could not escape, good season or bad, profit or no profit.

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Travelers could find whatever condition they looked for among the slaves. Where it was necessary to assemble and keep them hundreds strong upon remote plantations, lying in some malarial district upon the coast or in the river bottoms, where they could live but their master could not, they were often enough hard driven by brutal men, themselves mere hired drudges, who cared for nothing but to get the exacted stint of work out of them. But where the master was himself at hand there was almost always moderation, a firm but not unkindly discipline, a real care shown for their comfort and welfare. They were taught handicrafts, because each plantation was of necessity, in respect of every simpler kind of work, a complete industrial community, it was necessary that it should maintain its own shoemakers, tailors, carpenters, bricklayers, blacksmiths, and men of all work. There was seldom any town near at hand to supply even its commoner wants. The punishments each master meted out he allotted rather as magistrate than as master. The offences which he punished would most of them have gone before a magistrate had the offenders been freemen. "On principle, in habit, and even on grounds of self-interest, the greater part of the slave owners were humane in the treatment of their slaves,—kind, indulgent, not over exacting, and sincerely interested in the physical welfare of their dependants," said an eminent northern man of letters, speaking of what he saw in 1844.

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Domestic slaves were treated with affection and indulgence, cared for by the mistress of the household. The life of a southern planter's wife was a life of executive labor, devoted chiefly to the care and training of her slaves. Social privilege and the proud esprit of their class bred in southern masters a sense of the obligations of station; and the spirit of the better men ruled the conduct of the less noble. The demoralizing influences of the system were checked as much as it was in human nature to check them. Southern gentlemen despised a slave trader as heartily as any northern man did, necessary though his occupation seemed to be; sold and bought slaves by private arrangement when they could; and sought in every way to keep the worst features of the system at a minimum.

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That very fact, their very consciousness that they exercised a good conscience in these matters, made them the more keenly sensitive to the bitter attacks made upon them at the North, the more determined now to assert themselves, though it were by revolution, when they saw a party whose chief tenet seemed to be the iniquity of the South, about to take possession of the federal government. They had the inevitable haughty pride of a privileged class. Probably not more than one white man out of every five in the South was a slave holder; not more than half had even the use or direction of slaves. Hundreds of the merchants, lawyers, physicians, ministers who were the natural ruling spirits of the towns owned none. But the men who were slave owners were the masters of politics and of society. Their sensibilities were for all practical purposes the sensibilities of the South; and for close upon forty years now it had seemed as if at every turn of the country's history those sensibilities must be put upon the rack. The Missouri compromise of 1820 had treated the institution of slavery which they maintained as an infection to be shut out by a line as if of quarantine. The alarming insurrection of the slaves of southeastern Virginia under Nat Turner in 1831; the English Act of Emancipation and the formation of the American Anti-slavery Society in 1833; the slow and dangerous Seminole war, which dragged from 1832 to 1839, and was as much a war to destroy the easy refuge of runaway and marauding negroes in Florida as to bring the Indians, their confederates, to submission; the critical Texas question; the Mexican war and the debatable Wilmot proviso; the Kansas-Nebraska Act, the "free-soil" campaign, the break-up of the Whigs and the rise and triumph of the Republicans—it had been a culminating series of events whose wounds and perplexities were always for the South. Southerners might have looked upon the election of Mr. Lincoln as only a casual party defeat, to be outlived and reversed, had it not come like a dramatic denouement at the end of the series. As it was, it seemed the last, intolerable step in their humiliation.

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The North had not realized as the South did what the election of 1860 meant. Southern men had been keenly conscious that the issues of revolution hung upon it. That consciousness explained the votes of Virginia, Tennessee, and Kentucky, cast for Mr. Bell, the candidate of the Constitutional Union party. In other parts of the South as well votes by the tens of thousands had been cast for the candidates of that party, by men who loved the Union, dreaded revolution, prayed for peace, and sought this means of escape from the fatal antagonisms of the regular parties. Northern voters, too, had been uneasy; but the air of opinion about them had not been charged as the southern air was with the keen forces of passion put to its final test. There was not among them the universal feeling which stirred in the South, that politics had come at last to a breaking strain.

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South Carolina, alone among the States, still chose her presidential electors through her legislature. Having chosen her eight electors upon the appointed day in 1860, and instructed them to vote for Mr. Breckinridge, her legislature remained in session to learn the result, prepared to take action at once should what it feared come to pass. When the news came that a majority in the electoral college had been secured for Mr Lincoln, it immediately called a state convention, provided for the purchase of arms, and adjourned. On the 20th of December following the convention which it had called, sitting in Charleston, adopted an ordinance which solemnly repealed the act of the convention of the 23d of May, 1788, whereby the State had accepted the constitution of the United States as part of its fundamental law, together with all subsequent ratifications of federal constitutional amendments, and formally declared the union hitherto "subsisting between South Carolina and other States, under the name of the United States of America," dissolved and ended. By the first day of February following Mississippi, Florida, Alabama, Georgia, Louisiana, and Texas had also seceded. On the fourth day of February (1861) delegates appointed by the several conventions of the seceding States met in convention at Montgomery, Alabama, to frame a provisional constitution and choose a provisional executive for a separate southern Confederacy. Mr. Jefferson Davis, until a few weeks before a senator of the United States from Mississippi, was chosen provisional President, Mr. Alexander Hamilton Stephens, until two years before a member of the federal House of Representatives from Georgia, provisional Vice President. In March a permanent constitution was adopted, to take effect the next year. True to their theory of government, the southern States had returned to the political methods of 1788. Each State had, not by popular vote, but by sovereign convention, withdrawn from the Union, as she had acceded to it. The same conventions that had chosen the delegates sent to Montgomery ratified the constitution which they framed, and authorized the inauguration of the new Confederacy.

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It was corporate action, taken with the initiative and promptness of men skilled alike in the theory and in the practice of constitutional action, as Mr. Calhoun and all southern statesmen expounded it. They assumed that, since each of their States had entered the Union of its own accord, as into a free partnership, and might have declined to enter it, it was clearly within its privilege to withdraw when just cause for withdrawal seemed to exist. It was an assumption the theory of which would hardly have been seriously questioned while the generation lived which made the Union; though that generation would have been as ready as any that followed it, no doubt, to make protest, it might be of arms, against actual secession. Neither change of thought nor change of political conditions in the nation at large had altered the thought of the South with regard to the character of the government; for she had not herself changed, and her own thought had kept steadfastly to the first conception of the Union. But to the rest of the country such a theory had become little less than incredible, often as southern statesmen had expounded and pressed it. The constitution of a nation, though written, cannot remain a mere legal document. The life of each succeeding generation must inevitably be read into it, if only because it must be men of successive generations who read and interpret it. They can but comprehend it in terms of their own lives. It must become the vehicle of their growing thought, if it is to suffice them; must serve as the skeleton frame of a living organism. For a majority of the nation no conception of the Union was now possible but that which Mr. Webster had seemed to create and bring once for all to their consciousness in that debate with Hayne which had been a turning point in all men's thinking. A Union full of new States, themselves its own creation; a people recruited out of almost every civilized nation of the world, bound together by railway and telegraph, busy with enterprises which no State or section could imprison within local boundaries, quick and various, as in the old days, but now at last conscious of its unity and its organic integrity, could not turn back to a particularistic creed which might make every jar of politics threaten to break its joints asunder.

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And so it happened that the action of the southern States took the North by surprise. Often as they had heard the doctrine of secession preached, the northern people looked upon it as a singular and novel thing when they saw it thus put into practice. The spirit, precision, and concert, the despatch and radical thoroughness with which the southern men acted, as if upon a programme familiar and matter of course, filled the North for a little with mere dull amazement. Their quick pace in revolution, their confidence as of men who had no doubts or misgivings, confused and for a brief space dismayed those to whom the North naturally looked for counsel and guidance. The very month South Carolina seceded, before any other State had taken action to join her, she sent commissioners to Washington to arrange, as of course, for a division of the national debt and for the formal transfer of all national property lying within the State; and Mr. Buchanan knew not what to do. He promptly and unequivocally denied the right of the States to secede; but he knew, he said, no legal means of actually preventing their secession. The law officers of the government could give him no light; from no quarter came any clear counsel or unhalting judgment in the matter. Congress attempted measures of compromise. A Peace Conference assembled, at the suggestion of Virginia, to discuss plans of accommodation, and a committee of the Senate concurred in its recommendations: the extension of the Missouri compromise line to the Pacific, the positive establishment of slavery by law south of that line, and compensation from the federal treasury for all fugitive slaves rescued after arrest. But Congress seemed partially dissolved, ere the winter was over, by the withdrawal of members from the States which one by one seceded; nothing could be done while it seemed insecure of its very membership; there was nowhere agreement or coolness or courage enough to make any plan feasible.

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The southern men withdrew from the cabinet, as they withdrew from the House and the Senate; southern men by the score left also the lower ranks of the civil service and went home to offer their services to the new Confederacy; southern officers withdrew from the army and the navy as their States seceded; the authorities of the newly federated States took possession, as they left the old Union, of the arsenals, forts, custom houses, and post offices within their territory. Before the authorities at Washington had made up their minds what to do every fortified place in the South was in the possession of the Confederacy except Fortress Monroe in Chesapeake Bay, Fort Sumter in Charleston harbor, Fort Pickens at Pensacola, and the fortifications near Key West. All familiar things seemed dissolving, and Mr. Buchanan scarcely knew what government he had to handle. Some of the men about him upon whom he was obliged to depend believed that the southern states had a right to do as they were doing; others denied their right but knew not how to check them; still others knew what ought to be done but had not the courage or the initiative to do it. All the country waited, the President himself included, to see what Mr. Lincoln and his Republican advisers would do.

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Men noted the sad and anxious eyes of the new President; noted also, with a certain deep misgiving, his gaunt and uncouth figure, as of a man too new, too raw, too awkward, too unschooled in affairs for the terrible responsibilities and tangled perplexities of the great office he undertook. They did not know the mastery of the man; they did not see that the straight fibre of this new timber was needed to bear the strain of affairs grown exigent beyond all common reckonings. There was the roughness of the frontier upon him. His plain clothes hung unthought of on his big, angular frame; he broke often, in the midst of weighty affairs of state, into broad and boisterous humor; he moved and did the things assigned him with a sort of careless heaviness, as if disinclined to action; and struck some fastidious men as hardly more than a shrewd, good natured rustic. But there had been a singular gift of insight in him from a lad. He had been bred in straitened, almost abject poverty; his shiftless father had moved from place to place in search of support and shelter for his growing family, and had nowhere got for them more than a bare subsistence; and yet this lad had made even that life yield him more than other boys got from a formal schooling. He matured as slowly as another; his life quietly kept pace with the simple folk who were his neighbors, no vital sign of his special gifts giving noticeable prophecy of what he was to be; but there came a power of mastery into his mind, nevertheless. He took pains to get to the heart of what others about him but half understood; he used his wits for argument and observation as another lad might have used then, for play, and made the use of words, the exact speech which hit his meaning always at the centre, his method of analysis. And so his mind had filled as each item of his experience made its record, as each glimpse of the world came to him. He had made a career for himself in his State which culminated in his debate with Senator Douglas, to which all the country paused to listen; and he was ready to be President by the time he became President. He called both Mr. Seward and Mr. Chase, the hitherto accepted leaders of his party, into his cabinet, the one as Secretary of State, the other as Secretary of the Treasury; but he associated others with them who were of other views and of his own personal choosing; and he himself made his own choice of policy.

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His breeding among plain people like himself, accustomed to respect law with simplicity and obey it without subtlety, gave him the direct vision which politicians lacked. He revered the constitution, had sworn to preserve and defend it, and would not "take an oath to get power and break the oath in using that power"; but he viewed his duty in the large, and declared it his conviction that it would be breaking that oath, and not keeping it, if, "to save slavery or any minor matter," he should "permit the wreck of government, country, and constitution all together." He sought to combine conciliation with this clear purpose to preserve the Union; but while those about him swung from this measure to that and were weak in their excitement, he was only patient and watchful, waiting for opinion and the right day of action.

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The time came when, early in April, 1861, word was sent from Washington to the governor of South Carolina that Fort Sumter would be reinforced and provisioned against seizure. The message was sent on April 8th. On the 12th fire was opened upon the fort; on the 14th, ere reinforcements could reach them, its little garrison surrendered. On the 15th Mr. Lincoln called, by proclamation, for seventy-five thousand volunteers. Upon that signal, four more southern States seceded: Arkansas on the 6th of May, North Carolina on the 20th, Virginia on the 3d; and Tennessee on the 8th of June. Issue was made up, and all men knew what it meant,—not compromise, but war.

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The southern leaders had not at first expected this. They had thought to bring on a constitutional crisis, but not a civil war. They had meant at any hazard to make good their rights under the federal arrangement, and had deliberately resorted to secession because they thought that better terms could be made out of the Union than in it; but they had expected their opponents at the North to come to terms. Their people had followed and upheld them upon that expectation, and would not willingly have followed them on any other. But when the sound of the guns at Sumter was heard it became at once another matter. The thrill of a new purpose and passion shot through the country, north and south. It was with the one side as with the other. The southern people would not at the first choice have deliberately set themselves with open eyes to bring a war of revolution on; the people of the North, as conservative of law and of right as the men of the South, drew back, at the first shock and surprise of secession, from coercion or violence, questioned anxiously what they should do, and hesitated as their government did. Mr. Seward, of the President's own household, made the amazing suggestion that the slavery question be ignored and the country drawn together to support some aggressive stroke of foreign policy, which should rekindle the national feeling and fill all sections alike with the old temper of patriotism, the South with the rest. It was the sound of war and the call for men that changed the very atmosphere, north and south alike, and set all thoughts in a new channel. Richmond was made the capital of the Confederacy, instead of Montgomery, as if to put the officers of its government at the front, the northern and southern capitals face to face. Mr. Davis called for volunteers in the South, as Mr. Lincoln did in the North; and the call was responded to eagerly and at once, in the one section as in the other. Even then men were slow to realize the awful business in hand; expected the fighting to be brief, accommodation or surrender to come at once. In the South men flocked to the rallying places and set out with their regiments in blithe spirits, as if for a holiday excursion, not knowing the grip of fate that had closed upon them. But a little while, and these hallucinations had passed away.

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The war which ensued disclosed its real nature soon enough. For a year it lingered and was desultory, without plan, speed, or vigor, as if both sides waited, as indeed they did, to muster their resources, contrive a proper organization for the struggle, and discover each beyond a peradventure the temper and purpose of the other. But after that there was neither doubt nor pause in the desperate business, and all the world saw how the flames of civil war had enveloped a whole continent. It was a noteworthy thing how prompt and decisive the grapple of the sections was, for all there had been at first long months of doubt and hope, of confused preparation and all the slow processes by which conservative men adjust themselves to the exigencies of a revolutionary crisis. In the South there was a government to make, as well as an army; in the North a government to remake, a civil service to reconstitute. A year was needed to supply administrative means and make men and methods ready, on the one side as on the other. But a year sufficed.

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Actual fighting, no less than strenuous efforts to be ready for it, had added its sharp definition to all else that the year disclosed. In July (1861) General McPowell had moved with the new federal levies from Washington southward, for a stroke at Richmond. At Bull Run, on the 21st, he had met the confederate forces under Generals Beauregard and Joseph E. Johnston, and after a stubborn and sanguinary battle had been thrown back in utter rout, his regiments not to be kept together because of the panic and confusion of their flight. But it had been a battle and nothing more. The troops on the one side as on the other were raw volunteers; both governments had hoped until the other day to see the conflict ended by a mere show of force or by some sudden stroke, and the confederate commanders were as little prepared to follow up an advantage as their opponents would have been. For a moment the South thought that this battle was all; the confederate troops themselves believed that it was, and incontinently set out in crowds for their homes, without leave taken. In fact it had only shown that there must be set campaigns and a war of conquest.

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Down all the long border between North and South which followed the river Ohio to the Mississippi the lines had been made clear, the while, which were to be the boundaries of the Confederacy, its outer lines of defence. The western counties of Virginia, beyond the long southwestern line of the Blue Ridge, sympathized, in this issue between slavery and the Union, with the men of the North, not with the men who had carried their State out of the Union, and federal troops, operating there out of Ohio under General McClellan, drove the detachments of confederate volunteers set against them back over the mountains. In Kentucky also and Missouri slowly gathering armies out of the North pressed the frontier of secession in; and kept the great stream of the Ohio open beyond its junction with the Cumberland and the Tennessee, flowing southward, all the way to the Mississippi itself. Missouri, though at first it had seemed as if the other faction would control her, was held off from cooperation with the Confederacy by the sentiment of her own people. Kentucky, too, slave State though she was from of old, refused to cast in her lot with the seceding States about her; and confederate forces, though they operated for a little while within her territory and found many sympathizers and partisans there, and many men willing to swell their ranks, operated almost as if upon alien ground and kept their lines at constant hazard. These, then, it presently appeared, were the long extended frontiers, from the Potomac, upon which the national capital lay, through the far Cumberland Gap to the Mississippi at Columbus in Kentucky, from which the northern armies, growing in strength with every month, must strike in at the defences of the South.

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Mr. Lincoln called Congress to assemble in extra session on July 4, 1861; and it addressed itself very heartily to the task of supplying the government with means of mastery. It voted the moneys asked for by the Executive, and the loan necessary to supply them; authorized the President to call for five hundred thousand volunteers; declared a blockade of the southern ports; gave explicit statutory definition to conspiracy against the government; and provided for the confiscation of all property used against it. In the regular session which presently followed, in December, it set out at once, In systematic wise, upon the policy of aid and taxation by which if meant at one and the same time to increase the resources of the country and put them at the service of the government. By midsummer, 1862, its programme was complete and enacted into law. Tariff duties were increased at every point at which domestic producers could be protected against foreign competition, and direct taxes were laid upon the products thus favored: specific taxes on iron, steel, paper, coal oil, leather, and a few other manufactures put upon a special list, and on other manufactures a general tax ad valorenz. A liberal charter was given for a Union Pacific Railway which was to bind the two coasts of the continent together and give an eastern outlet to the produce of the West, and with it were given immense grants of public land along its route in aid of its construction. "Homestead" plots of the public land were offered at a nominal price to heads of families who would settle upon them in the West; and large sections of the public domain were voted to the western States in aid of the establishment of agricultural colleges,—in order that the spread of population and of productive industry might be more than ever quickened and the accumulation of wealth forced on apace; while at the same time a general income tax was established, railway, steamboat, and express companies were required to pay to the government a percentage of their gross receipts, and various occupations were closed except to those who would take out federal licenses. It was a policy of nurse and use which could not fail to yield the sinews of war. It meant that the resources of the North were to be added to and diversified at the very time they were being spent.

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It had already become evident that the federal government must look for no sympathy from abroad in its effort to prevent secession. The sympathy of foreign governments, it was plain, if the events of the first year of the anxious business were to be read as evidence, was with the South, not with the North It was likely they would observe very complacently any process of war disintegration which promised to break he power of the huge republic growing up in the west, ere its rivalry in trade and influence should menace them. The blockade of the southern ports was, moreover, a direct blow at a lucrative trade in which more than one of them was interested. Immediately upon receiving news of Mr. Lincoln's proclamation of the blockade and of Mr. Davis's answering offer to grant letters of marque and reprisal against the commerce of the United States both France and England had issued proclamations of neutrality which gave to the confederate government international standing as a belligerent; and before the year was out an ugly incident seemed for a moment to threaten war with England.

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The most influential classes in England were known to sympathize with the South; hundreds of English factories must stand idle and thousands of working-men be brought to the verge of starvation, if the South, the great cotton field of the world, was to be shut against commerce; and the southern leaders were prompt to seek England's active countenance. They sent commissioners over sea both to England and to France, to ask recognition: to England Mr. James M. Mason, of Virginia, a grandson of George Mason, the statesman of the Revolution; to France Mr. John Slidell, of Louisiana. Leaving Charleston for the West Indies, they took passage at Havana on the English steamer Trent for England. On the 8th of November the steamer was overhauled in the Bahama channel by a United States man-of-war, and the commissioners were taken from her and carried prisoners to Fort Warren, in Boston harbor. It was a gross breach of international law, and of principles which the United States government had itself always been forward to insist upon; and England made instant protest, significantly acconlpanied by preparations for war. The act was disavowed and the prisoners released so soon as the matter was looked into. Mr. Lincoln had no mind to take any false step or cast any doubt on the principles of his government at such a juncture. But the unpleasant feelings provoked by the unfortunate affair were not so easily put by. War between the two nations had come close enough to give both a very disturbing glimpse of possible fatal antagonisms.

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The spring of 1862 saw armies upon all the long borders of the Confederacy and fleets upon the coasts and on the western rivers. The area of the war was defined. Before the end of the year its whole scope and character were determined. In the West stroke after stroke of the federal arms forced the confederate lines southward. The accumulating northern armies and flotillas broke their way down the valleys of the western rivers like an irresistible, crushing weight. In the East, on the contrary, all things hung doubtful. The federal commanders there had not the gifts of the men in the West and fought against antagonists who outplayed them at every move. They found no way to concentrate their force upon the southern armies; were puzzled how to take the best way of attack and yet keep Washington covered; and Richmond seemed more inaccessible than the heart of Alabama.

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Men who had the character and the capacity to succeed in the field made their way one by one to federal command in the West at the very outset: conspicuous among them Ulysses Grant, a quiet soldier whose qualities only a day of action could bring out. He had won a first lieutenancy at twenty-five in the Mexican war; but few except his immediate superiors had noticed how his capacity had shown itself upon occasion in that fighting. He came of plain stock in which there was small impulse of achievement; his faculties fell dull in all ordinary seasons; there was a rustic simplicity about him which made him pass unnoticed among strangers, a lack of self-assertion which rendered him disinclined to quarrel with obscurity. He had withdrawn from the army at thirty-two because the empty routine of a soldier's life worked a deep demoralization upon his easy-going nature when no action of consequence was in hand; but at the outbreak of the war he had enlisted again, as a volunteer, and had been given command of southeastern Missouri with the rank of general of brigade in the volunteer service.

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Then it was that the qualities which had slept in him, save for a few glimpses of the day amidst the fighting in Mexico, began to be shaken wide awake by what was to be done, and the responsibility which lay upon him to do it. It was he who, in the early autumn of 1861 (September 4th and September 6th), occupied Cairo and Paducah, the keys to the rivers at his front. The one lay at the junction of the Ohio and the Mississippi, the other at the junction of the Ohio and the Tennessee. From Cairo the Mississippi flowed down to the Gulf through the very heart of the Confederacy; at Paducah the Tennessee found its outlet, coming all the long way round about Tennessee out of the northern counties of Alabama; and near at hand, scarcely ten miles away, came down the Cumberland from its six hundred mile journey through Kentucky and northern Tennessee.

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In February, 1862, the movement of the federal troops southward began, up the valleys of the rivers, under General Pope, General Duel], General Thomas, and General Grant, supported at each advance by gunboats on the rivers, and by midsummer a great wedge of armed men and boats had been driven into the confederate territory. General Grant, supported by a fleet of gunboats under Commodore Foote, moved up the Tennessee River and took Fort Henry on February 6th; and on the 26th crossed to the Cumberland and took Fort Donelson. Following his movement, a force under General Pope, similarly supported by an armed flotilla, with infinite difficulty cleared the Mississippi of the confederate blockades at New Madrid and Island Number Ten, lying like outposts at the northern boundary lines of Arkansas and Tennessee.

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General Grant, with that grim thoroughness which all men presently saw in him when once he was afoot, pressed forward, beyond the forts on the Tennessee and the Cumberland, to strike at Corinth, a railway centre in northern Mississippi. It was his principle to be moving always, forcing the fighting. He knew the men against whom he acted, he thought; most of them had been his comrades in Mexico. He thought he knew what mistakes they would make. But they checked him very sharply whenever he blundered or exposed himself without force enough to crush them. On a Sunday morning, the 6th of April, a confederate force under General Albert Sidney Johnston fell upon his regiments by Shiloh church with an onset which could not be withstood, and only the confusion of their rushing victory and a steadfast regiment here and there to stem the tide saved his force from being caught in a corner between river and creek, his base at Pittsburgh Landing from being taken. But Johnston had been mortally wounded. A wound had severed an artery; he had ignored it and led a desperate charge in person; and had gone from the field to die. The next day brought Grant reinforcements which gave him commanding numbers, and he moved forward again, forcing General Beauregard, now in command in Johnston's stead, to retire before him. The federal army advanced upon Corinth at its leisure, one hundred thousand strong, under General Halleck, commander-in-chief in the West. A slow siege was drawn about the place, and on the 30th of May, when everything was ready for the final assault, Beauregard abandoned it, deeming it untenable. The abandonment of Corinth, added to the possession of the forts on the Tennessee and the Cumberland, gave the federal commanders control of the railways which led to Memphis on the river upon either flank, and it became inpracticable for the confederate forces to hold the Mississippi anywhere above Vicksburg. On June 5th Fort Pillow was abandoned; and on the 6th the federal gunboats, by desperate fighting, broke the defences of Memphis. The river was open down to Vicksburg.

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Meanwhile, a fleet operating from the sea below had gained control of the lower reaches of the river also, and Vicksburg was accessible by the federal forces from the south. On the 18th of April Commodore Farragut, who, as spring approached, had been sent to the Gulf to see what could be done to render the blockade effective at New Orleans, had opened fire on the forts which guarded the main outlets of the river. His fire proving of slow effect, he determined to attempt the passage of the river without taking them, and on the 24th ran past them. The next day he took possession of the city, which had been evacuated upon his approach. The forts, thus isolated, were given up, and General Butler was put in possession of New Orleans, with the troops which had been waiting, ineffective till Farragut came, on Ship Island. When the year was out the confederate power touched the Mississippi nowhere but at Port Hudson and at Vicksburg, standing high upon its bluffs, a tangle of marsh and stream drawn about it everywhere but at the south and east, where the confederate armies were most easily handled to maintain it. Grant, still striking southward, attempted the formidable place before the year closed, seconded by General Sherman moving south from Memphis on the river. Each struck in turn; but each failed. The place remained to be taken.

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In the East, meanwhile, in Virginia, where the fighting beat back and forth between the two capitals, fortune showed another face. There the federal commanders were out generalled and beaten. All the winter through, since the first fighting at Manassas, General McClellan, fresh from his successes in West Virginia, had been making ready an "Army of the Potoniac" to move against the confederate capital. When spring came he showed himself in force on the old battle ground of the Revolution, taking his troops by water to Fortress Monroe and striking thence, against Joseph E. Johnston, up the peninsula which lay between the York and the James rivers. By dint of a month's siege he took Yorktown (May 4th). Following Johnston's retreat, he attacked him at Williamsburg and sought to prevent his crossing the Chickahominy, but could not. Johnston, in his turn, himself across the river, attacked a part of McClellan's force which had crossed at Fair Oaks, before the rest could cross to their assistance, and two days' hard fighting barely saved the federal commander a disastrous loss. General Johnston having been wounded in the conflict, General Robert E. Lee took his place, a man whose quality of genius the Army of the Potomac was to learn until it had had its fill.

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He was son to famous Lighthorse Harry Lee of the old days of the Revolution, but showed little of the dashing soldier in his person and bearing. He showed, rather, the modesty and unaffected gentle breeding of the old southern training; seemed never to stand for show but always for quiet principle, making those who dealt with him feel that he was a Christian as well as a gentleman, and felt the compulsion of nothing so much as the dictates of duty and honor. But, for all he was so simple and modest, he handled men under arms in such fashion as presently made him the foremost soldier of his time. He was already distinguished. Since a lad he had served in the armies of the United States, loving the Union and serving it in the spirit he had taken from his father. The men who had served with him knew his genius; Mr. Lincoln had offered him the command of the army which was to act against the South. But he had declined the command, and, seeing how all things were turning in the home of his youth, had exchanged his federal commission for one held of Virginia for the coming struggle. He did not believe in secession; he utterly rejected the view of the constitution which so many of his neighbors had taken from Mr. Calhoun; it was revolution, in his view, nothing less, to break away from the government Washington and Madison and Hamilton had set up: they would have constructed no such rope of sand as the politicians about him told him it was meant to be. But he was of the breeding of the South: the breeding men in the North found it so hard to comprehend. Virginia was his home; there all his love and allegiance had their intimate rootage. If she seceded he must go with her; if armies were sent against her he must defend her. He explained it so, very frankly, before Virginia had acted, to General Blair, who brought him Mr. Lincoln's offer of the command of an army of attack. "I told him," he said, "as candidly and courteously as I could, that though opposed to secession and deprecating war, I could take no part in an invasion of the Southern States." It was this quiet man, of clear principle, with a sentiment for his own people which was for him a thing as strong and imperative as principle, who now found himself in chief command against the army he might have led.

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McClellan had expected to be joined by reinforcements under General McDowell; but the military genius of another confederate commander prevented that. Thomas J. Jackson had shown his quality in part at Manassas. There he had held his men unshaken against charge after charge of the federal regiments, and had been dubbed "Stonewall" Jackson from that day. Now he showed gifts of another kind. He was oddly compounded of Covenanter and strategist; showed in all things a steadfastness, a stiffness of character and principle which seemed strangely contrasted with the audacity and sudden dash with which he moved when in the field. In fact the two things were united with singular harmony in the man: the iron character and the instant purpose: the will that operated like an impulse but which achieved its end with the precision of a thing calculated and long foreseen,—the almost instinctive energy of a mind that never doubted or turned aside. Hard-set principle and bold initiative were things to be looked for in combination in men of his Scots-Irish blood. By a series of sudden marches and surprises such as his opponents presently learned to expect but could never foresee or make themselves safe against, he cleared the Shenandoah valley of federal troops, seemed to threaten Washington itself, and kept McDowell where he was, to guard the seat of government. Then, as suddenly, he turned about and carried his forces by rail to General Lee, to assist against McClellan. For seven memorable days the two beat McClellan's army back until Richmond was safe and the federal forces once more on their farther base at the James.

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Mr. Lincoln tried a change of commanders. General McClellan was removed, and General Pope was brought, fresh from his exploits on the Mississippi at New Madrid and Island Number Ten, to take his place. The theatre of operations was shifted northward to the courses of the Rappahannock, that the full bulk of the federal armies might be interposed between General Jackson and the city of Washington. But Pope fared worse than McClellan. By a forced march through the mountains, Jackson turned his flank and defeated General Banks at the western end of his line at Cedar Mountain (August 9th). On the 29th of August Pope's own command was attacked at Grovetown, and the next day routed at Manassas, by Lee and Jackson combined. A confederate force despatched westward on the federal flank captured Harper's Ferry, with its arsenal and its supplies and eleven thousand federal troops; and Lee crossed the upper Potomac into Maryland and confronted his opponents once more, at Antietam. There, on the 17th of September, battle was joined again, McClellan once more in command,—but without decisive result. Lee was checked and foiled, that was all. He found himself obliged, nevertheless, to recross the Potomac and withdraw towards his base of operations.

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The success was not enough to satisfy the authorities at Washington. Once more they took the command of the unhappy Army of the Potomac from McClellan, to bestow it, by way of further experiment, upon General Burnside, who immediately proved himself the wrong man for the task. On the 13th of December he threw himself upon the confederate forces intrenched on Fredericksburg Heights, and was repulsed with great loss. It was the last action in the East until spring should come again. The federal commanders could show no progress made in that quarter.

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Opinion shifted uneasily, the while, the nation through. The unexpected scope and magnitude of the war, its slow and sullen movement, its anxious strain of varying fortune, its manifest upheaval of the very foundations of the government, turned men's hopes and fears now this way now that, threw their judgments all abroad, brought panic gusts of disquietude and dismay which lasted a long season through before any steady winds of purpose found their breath and their settled quarter. For eighteen months Mr. Lincoln had waited upon opinion, with a patience which deeply irritated all who wished radical action taken. He knew the hazards of the time as well as any man: feared that at almost any moment news might come of the recognition of the southern Confederacy by the old governments abroad; knew how important success was to hold opinion at home no less than to check interference from without; was keenly conscious how the failures of the Army of the Potoniac offset and neutralized the successes of the federal arms in the West; and realized to the full how awkward it was, whether for the government of opinion at home or over sea, to have no policy more handsome than that of conquest and subjugation. It was necessary to put the South at a moral disadvantage by transforming the contest from a war waged against States fighting for their independence into a war against States fighting for the maintenance and extension of slavery, by making some open move for emancipation as the real motive of the struggle. Once make the war a struggle against slavery, and the world, it might be hoped, would see it a moral war, not a political; and the sympathy of nations would begin to run for the North, not for the South. But Mr. Lincoln knew also that the thoughts of the people changed more slowly than the thoughts of politicians; that the mass of men, who must fill the ranks of the armies and vote at the polls in the elections, quitted their old ways of thinking stiffly and with reluctance. He waited for their purpose to harden. He had come into office declaring that the party he led had no intention whatever to molest slavery in the States which had already established it; and he knew that he must wait for the people at his back to change their temper under the strain of the fighting before he openly turned about to accept a revolution and seek emancipation as the object of the war.

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By midsummer, 1862, he was convinced that opinion was ready. He waited only for some show of victory by the Army of the Potomac to put the new, aggressive policy he contemplated in countenance. The check given Lee at Antietam served the purpose, in lieu of something better; and on the 22d of September he issued a proclamation which gave formal notice that unless the southern States returned within a hundred days to their allegiance to the Union he would declare the slaves within their limits free. On the 1st of January, 1863, accordingly, he put forth a definitive proclamation of emancipation. It was an act which bound no one except commanders in the field. The President had no authority to alter or abolish the laws of the southern States, in open secession though they were. He could do nothing more in actual execution of the proclamation than command federal officers in the field to set free the negroes who fell into their hands, and keep their freedom secure within the territory actually occupied or controlled by their troops. That he could do as an act of war, under his authority as commander-in-chief. Some of the federal commanders had already ventured to set the negroes free in the districts they occupied, but Mr. Lincoln had rebuked them and annulled their acts till he should be ready. The proclamation, when it came, was no law, but only his deliberate declaration of policy, for himself and for his party; and changed, as he had meant that it should change, the whole air of the struggle, and of politics as well.

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For a moment opinion seemed to swing back, as if he had gone too far and too fast. The autumn elections, which followed the preliminary proclamation of September, showed in some quarters a marked uneasiness that he should have made so sharp a revolution in the avowed purposes of the party and the government he led; and a number of Republicans in the less steadfast constituencies lost their seats in the House of Representatives to Democrats. But opinion set steadily forward again with the President before the winter was out, and the reverses of the autumn elections did not slacken the action of Congress or daunt its leaders. Their radical measures matched with what they believed to be the real temper of the country in the face of a crisis which seemed to increase In magnitude and gravity with every campaign of the contending armies. In December, 1862, they did not hesitate to sanction the division of Virginia into two distinct States by admitting the western counties of Virginia to representation in Congress as the State of West Virginia. The forty western counties of the Old Dominion, which lay beyond the Blue Ridge, had not sympathized with secession or a war for the maintenance of slavery. Northern troops under McClellan had got control of them at the very outset of hostilities, because of the friendliness of their people and the weak hold of the confederate commanders upon the region. The antagonisms between the people of the eastern and western counties,—the people beyond the mountains and the people within the Shenandoah valley and by tide-water,—were an old story. The mountains separated them in commercial interest; life ran differently on the one side and the other; the settlers beyond the mountains said that too little heed was paid to their affairs at Richmond—or too much, by way of restriction. When the State went out of the Union, therefore, they deemed it a good time to make their separate interests known. A revolutionary state government was established, for which they asked admission into the Union. The constitution of the United States forbade the division of any State without its own consent, but the Republican, leaders in Congress were ready to accept the theory that the provisional government set up in western Virginia, inasmuch as it was loyal to the Union, was the only legitimate government of Virginia, and could itself authorize the division of the State. West Virginia was, accordingly, in due form admitted to the Union,—without too curious an examination of the constitutional law of the case.

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The houses were in a radical temper. In March, 1863, the President was authorized to suspend the operation of the writ of habeas corpus in cases of persons suspected of disaffection towards the United States; and a Draft Act became law which substituted compulsory for voluntary military service upon a scale which showed a new system and purpose in the prosecution of the war. The operation of the writ of habeas corpus had already been frequently suspended. Mr. Lincoln had not hesitated since his first call for volunteers in April, 1861, to proclaim martial law wherever it seemed to him necessary or serviceable to proclaim it. Congress now gave him explicit authority to set aside the rights of individuals wherever it seemed necessary to do so in order to safeguard the Union. The Draft Act meant that Congress realized at last the magnitude and the almost desperate difficulty of the war it had embarked upon. In carrying it into execution the government learned something more of the temper of the people. Intense excitement everywhere accompanied the progress of the conscription. In some places it was forcibly resisted, not so much because of the deep unpopularity of the thing itself as because it seemed to be enforced with gross partisan partiality. Democratic counties, it began in some parts of the country to appear, were much more heavily drawn upon than those whose votes had been cast in the elections for the party in power. The excitement culminated more sharply and ominously in New York than anywhere else; and in the city of New York very serious outbreaks occurred—savage "draft riots" which were to linger in the recollection many a long year like an ugly nightmare. For four whole days of that memorable summer (July 13-16, 1863) the town was practically at the mercy of mobs which surged in its streets almost at will, and defied the government to put the obnoxious act into execution. It was executed, none the less, in the end. Inequalities in its enforcement as between locality and locality were corrected, but its essential rigor was not abated.

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If the war was to be successfully prosecuted, there must be created, as Congress and the President saw, not only vast armies, but also huge fleets to close the southern ports. When Mr. Lincoln proclaimed the southern ports blockaded, in April, 1861, there were but forty-two vessels of war in commission. The southern coasts were full three thousand miles long. So early as August, 1861, Fort Hatteras, in North Carolina, had been taken by a federal force, and early in November Port Royal in South Carolina; Fortress Monroe, within the capes of the Chesapeake, remained in possession of the federal authorities from the first, and federal fleets could lie in Hampton Roads; Key West, in the Florida Keys, and Fort Pickens, by Pensacola, within the Gulf, had not fallen into the hands of the Confederacy; but nowhere else on the long reaches of the interminable coast was there any other harbor of refuge or rendezvous for the scant blockading force, until Fort Pulaski, which guarded the approaches to Savannah, was taken (April, 1862) and Farragut occupied New Orleans, at the spreading mouths of the Mississippi. For a little while the southerners had seemed quicker than the North in putting their power on the sea. Early in 1862 they sent out of Norfolk against the fleet which lay in Hampton Roads an iron-clad ram, improvised out of a sunken frigate, which for a memorable twenty-four hours seemed likely to sweep the whole anchorage of its transports and men-of-war. Only the timely arrival of an armored craft of another pattern out of New York saved the fleet from annihilation. The confederates had given their ram, the Virginia, sides which sloped like a roof, and had cased them in railway non. The strange craft brought from New York to meet her had been devised by John Ericsson, a Swedish engineer who had sought his fortune in England at twenty-three and come to America at thirty-six (1819); the man who, more than any other, had made the use of the screw propeller practicable in navigation. The low, flat body of his Monitor rose but a foot or two above the level of the water. She carried her battery within an iron martello tower so constructed as to revolve, as if upon a pivot, so that her fire might be delivered in any direction. On the 9th of March the two novel craft made trial of each other, and the Virginia was worsted. Her shot made no impression on the turret in which the Monitor carried her guns or on the iron-sheathed deck about it, and the low iron hull of her antagonist afforded no target.

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A new age of naval construction began the day of that extraordinary duel. Henceforth, as the world saw, vessels of war must be built and clad with iron upon the principles taught by John Ericsson and the confederate naval constructors at the Norfolk navy yard. But the revolution could not be wrought in a moment. The federal authorities promptly made plans to construct some sixty vessels of the Monitor type; but they bought and built craft of every other sort, the while, to make good their investment of the long coast. Before the close of 1861 two hundred and twenty-six vessels were in commission; one hundred and sixty-three were added in 1862, one hundred and sixty-one in 1861,—over and above all lost, captured, wrecked, or burned:—steamers armored and unarmored, side-wheel and screw; sailing vessels great and small; craft of any kind that could carry guns or be made in any way to serve in the difficult blockade. Confederate privateers and cruisers, fitted out for the most part in foreign ports, stole in and out of the blockaded harbors and ranged the seas with a singular audacity, like the revolutionary craft of the old days of the war for Independence; captured merchantmen almost at will, until the losses they inflicted counted up into the millions; almost swept the sea for a time of all commerce under the federal flag. But one by one they were trapped and taken. Even fleet-footed steamers presently found it impossible to run the blockade of the southern ports. The coast lights were out; the blockading fleets lay with no sign set the night through. The best pilots in the southern waters were likely to throw their craft away by a rush in the dark; and in the daytime it was madness to attempt the passage amidst the crowding men-of-war.

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A third year of fighting brought no radical change of fortune in the fields where the armies moved. Still the federal commanders stormed their way southward in the West; still they were beaten and foiled in Virginia. After Fredericksburg, General Hooker had taken Burnside's place in command of the Army of the Potomac; and Hooker in his turn had made a movement upon Richmond. On the second and third days of May, 1863, he tried conclusions with Lee and Jackson at Chancellorsville, and was utterly defeated. But the fighting, though it gave them victory, cost the confederates the life of Stonewall Jackson. He was shot, by tragical mistake, by his own pickets, as he returned from a reconnaissance. The loss was as irreparable as the loss of Albert Sidney Johnston at Shiloh church. They could have spared an army better than either of these men of genius.

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Following up his advantage, Lee moved forward into Pennsylvania, upon the aggressive; met Meade at Gettysburg; and was repulsed, with heavy loss. He threw his men across long open spaces against the federal troops strongly posted and intrenched. For three days, the first three days of July, he beat doggedly upon them. The second day he drove their lines partly in and took a part of their position; but the third day the lost ground was recovered and he was driven back, his army almost decimated, to seek his base again in Virginia. Had he succeeded, no man can say what radical sweep of reaction there might have been at the North, in the face of his successful invasion, or what decisive advantage he might have won. But he failed; and the tide of war seemed to all the nation to turn.

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Almost on that very day, moreover, Vicksburg yielded to the siege of General Grant. The defence of the place had been stubborn, prolonged, heroic, almost successful. Every plan of direct attack had failed. General Grant found it necessary to sweep round about the town upon every side, clear the country back of it of troops and all means of succor, and take Jackson, the capital of the State, forty miles away, in order to command all approaches. He sat down at last in patient siege, and forced the garrison of the place to surrender to him, half starved, on the 4th of July. On the 9th Port Hudson, below, yielded to the same necessity and was surrendered to General Banks. The Confederacy was broken in half. Louisiana and Texas were cut off. Throughout its entire length the Mississippi was in the hands of the federal power.

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Grant turned from his hard-earned success at Vicksburg to take charge of the federal army shut up in Chattanooga. Upon the evacuation of Corinth, Mississippi, in May of the preceding year, General Braxton Bragg had taken thirty-five thousand confederate troops east to Chattanooga, and had struck northward thence into Kentucky. But General Buell had met him in a decisive action at Perryville, October 8, 1862, and had compelled him to retire again to his base. General Van Dorn, meanwhile, had sought to take Corinth again, and had given General Rosecrans two days of desperate fighting to prevent it (October 3-4, 1862). Finding it impossible to extend their operations, the confederate commanders drew back upon the central strongholds of Tennessee and Georgia. Just as the year 1862 passed away and the year 1863 came in (December 31st to January 2d) Rosecrans and Bragg grappled in three days' desperate fighting around Murfreesboro. Bragg attacked with a spirit, dash, and stubborn ardor which no troops but troops of the same race with his own could have withstood; but Rosecrans' men held their ground, or, having lost it, regained it, and Bragg withdrew. The new year saw him forced back step by step, the summer through, by the successful movements of the federal forces at his front, until autumn came and even Chattanooga had to be abandoned. Then (September 19 and 20, 1863) he made final stand against Rosecrans at Chickamauga and inflicted upon him a defeat which nothing but the extraordinary coolness and firmness of General Thomas, who commanded the left federal wing, prevented from becoming the most overwhelming federal disaster of the war.

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Bragg advanced, shut Rosecrans up in Chattanooga, and drew his force about the place to take it. General Grant came from Vicksburg to save it. The town lay with a sweeping amphitheatre of hills about it. Upon these coigns of vantage General Bragg had disposed his army: at the one end of the long semicircle abrupt Lookout Mountain, at the other steep Missionary Ridge, both alike, it might well seem, impossible of assault. Grant attempted and took them, nevertheless (November 24th and 25th). Sherman was sent to take Missionary Ridge, Hooker to take Lookout Mountain: the four greatest commanders of the northern armies directed the battle or moved upon the field,—Grant, Thomas, Sherman, Sheridan. Their men circled and climbed the steep ridges of the hills in a drifting fog; regiments of volunteers threw themselves with splendid recklessness upon the centre of Bragg's position, to hold him off from concentrating his force against Sherman on his left, and, before they could be stopped, took the heights where his guns were. The siege was raised; the confederate army fell back on Dalton. Grant had attacked when Bragg was weakened by the absence of a part of his force sent under Longstreet to meet Burnside in eastern Tennessee. Missionary Ridge and Lookout Mountain being lost, and Bragg dislodged, Longstreet did not return, but crossed the mountains and joined Lee in Virginia.

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Then came the winter's pause of arms. No man who looked about him could fail to see that, despite Lee's victorious movement in the East against the Army of the Potomac, the whole aspect of the war had changed. A girdle of arms had been drawn about the South, and her means alike of aggression and of defence were being slowly choked within her. On the one side of her were armies which grew with every campaign, while her own diminished; on the other, increasing fleets which closed every port from Hampton Roads to Galveston. Though it had taken two years to build and muster ships enough to make the blockade a thing of fact, it was now at last a stern reality. The South knew herself face to face with bankruptcy. Her exports were her only source of wealth; only her cotton could command the money of the world; and her cotton was locked useless within her ports. With closed ports she was ruined. A successful blockade runner here and there could bring no compensation for her throttled trade.

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Her levies, too, drew, not upon an increasing, but upon a diminishing population. The confederate government resorted to draft acts, as the government at Washington did, when volunteers lagged or were not to be had; but it had no such population to draw upon. There were but five and a half million white people in all the seceded States when the war came; in the North twenty-two millions. As the southern armies grew, business offices, courts, counting houses, plantations were emptied, and only women and boys were left to direct the work which was to sustain the government and feed the armies. The federal government, knowing its advantage, refused to exchange prisoners; and for every man lost or taken the South had to find another from its thinning ranks for the fighting line.

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It was a singular and noteworthy thing, the while, how little the quiet labor of the negroes was disturbed by the troubles of the time and the absence of their masters. No rumor of the emancipation proclamation seemed to reach the southern country-sides. No sign of the revolution that was at hand showed itself upon the surface of southern life. Gentlewomen presided still with unquestioned authority upon the secluded plantations,—their husbands, brothers, sons, men and youths alike, gone to the front. Great gangs of cheery negroes worked in the fields, planted and reaped and garnered and did their lonely mistresses bidding in all things without restlessness, with quiet industry, with show of faithful affection even. No distemper touched them; no breath of violence or revolt stirred amongst them. There was, it seemed, no wrong they fretted under or wished to see righted. The smiling fields not yet trodden by the feet of armies still produced their golden harvests of grain under the hands of the willing slaves, and the armies were fed.

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But the quiet tillage of her fields was all that remained of the old life of the South. Her trade was dead for lack of markets; her business offices were empty; the flower of her population was drawn into her armies; her resources were sapped and could not be renewed. The North, on the contrary, increased in wealth and population alike the long struggle through, despite the hundreds of millions poured out in money and the hundreds of thousands of men sent to the slaughter of the field of battle. In the South there was presently nothing to tax, and the confederate government was at its wits' ends where to get money. In the North taxes yielded whatever Congress demanded. New direct taxes were imposed; still heavier duties were laid on imports; and, though many grumbled, all paid, and most were abundantly able to pay; for trade and industry were not checked.

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Congress even succeeded at last in devising a banking system which should relieve the strain upon the Treasury and at the same time serve the business interests of the country,—a system which solved the difficulties which had stood unsolved ever since General Jackson destroyed the Bank of the United States and Mr. Van Buren set up the Independent Treasury. Twenty-five years before, New York had erected, in its "free banking" act of 1838, the model for the system which the federal government now tardily adopted. By that act New York had abandoned the old and vicious practice of granting special charters to individual banking companies, and had thrown banking privileges open to any group of responsible persons who would comply with the requirements set forth in the new law. Chief among these requirements was the deposit of recognized securities with the state government by every bank of Issue to the full value of its circulating notes, in order that their payment might in any case be made good. In an Act of February 25, 1863, Congress made provision for a similar system of national banks; and by an Act of June 4, 1864, perfected the system and put the new law on a permanent footing by a thorough revision. The Act created a new bureau of the Treasury, under a Comptroller of the Currency, to superintend and secure the enforcement of its provisions. The Comptroller was authorized to permit the free establishment, for a term of not more than twenty years, of banking associations consisting of not fewer than five persons and having a capital of not less than one hundred thousand dollars; and in small places associations having even a smaller capital. Such associations were required to deposit with the Treasury Department bonds of the United States of the value of at least one-third of their capital; in return for which there should be issued to them from the Treasury circulating notes representing an amount equal to ninety percent of the market value of their bonds, but never exceeding ninety per cent, of their par value. The total issue of currency to be made under the Act was limited to three hundred millions; and that amount, it was provided, should be apportioned among the States in proportion to their population and banking capital. The immediate object of the Act as a government measure was to create a market for the bonds of the United States and quicken the processes of borrowing upon which the government was in large part obliged to depend for the support of the war. It served the convenience of the country, however, hardly less than it helped the government; and what was primarily intended as a measure of public finance became the prop of private business. An Act of the following year (March 3, 1865) put a tax of ten per cent. on the circulation of all state banks, and forced them, if they would continue banks of issue, to qualify under the federal law.

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The fourth year of fighting was the last. The crushing weight of the North told more and more; and the South tottered to collapse. By the spring of 1864 the federal armies were ready for their final movements, the confederate armies freshened, recruited, posted as best they might be for their last stand and defence. The final reallotments of federal commanders had been made. General Grant had become commander-in-chief and had taken personal command of the Army of the Potomac against Lee. General Sherman, upon whom Grant had learned to depend at Vicksburg and Chattanooga, was in command in the West. In May, Grant, with Meade, moved forward from the Potomac into the broad "Wilderness" of wood and thick undergrowth that stretched south of Fredericksburg and the Rappahannock to the York River, forcing Lee to make a slow retreat before him. The retreat was slow indeed. Lee operated upon shorter lines than his enemy, and behind intrenchments. He had scarcely seventy thousand men, and knew not where to get more; Grant had one hundred and twenty thousand, and could have as many more as he needed. By the first of November Grant had lost eighty thousand,—more than Lee had had to face him with at the outset; but his ranks were still full. Lee outplayed him in the great game of war, but could not stand before the ceaseless movement of his accumulating force. For sixteen days of almost continuous fighting he held Grant in hand, his slow withdrawal southward like the maneuvres of a long battle rather than like a retreat; and at the end, when he found a place to his mind, at Cold Harbor, on the 2d of June, made stand and repulsed the federal attack along his entire front.

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But he was too heavily outnumbered. General Grant was not like the other men who had commanded the Army of the Potomac. No defeat stopped him or so much as gave breathing time. He filled his ranks and moved forward, whether in the face of victory or in the face of defeat, determined "to hammer continuously until by mere attrition," if in no other way, the stubborn army at his front should be worn to a weakness that must bring him his triumph. It became a mere question of who could stand the heaviest losses. Six thousand Union soldiers had fallen at Cold Harbor in a single hour; but their places were not long vacant. Flank movements, now upon this hand now upon that, rendered each position of Lee's army in turn untenable; and he was obliged at last to concentrate upon Petersburg and Richmond. There direct attack availed the federal commanders little. They were forced to sit down about Petersburg in a nine months' formal siege.

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Meanwhile General Sherman had driven Johnston in like fashion, with like difficulty and stubborn fighting, back through northern Georgia upon Atlanta; and would have had infinite slow labor to the last had not Mr. Davis, displeased that Johnston did not beat the overwhelming army at his front, removed him from the confederate command,—the one man available who could make inferior numbers formidable against such an opponent,—and so made the task of the invading army easy. Johnston out of his way, Sherman cut Atlanta's communications to the southward, forced the evacuation of the place without serious difficulty, and, leaving Johnston's successor, General Flood, to face Thomas at the north, whither he was forced to turn, himself pushed on to the cities of the coast. At Franklin, Tennessee, November 30th, Hood threw himself, in his impetuous fashion, on Thomas's advance force of eighteen thousand men, and was checked. At Nashville, on the 15th of December, Thomas himself attacked, and so utterly routed him that his army was never again brought together as an effective force. Sherman, confident that Thomas could take care of Hood at his rear, moved steadily on to Savannah and took it (December). Before he left Savannah, Wilmington, North Carolina, and the formidable batteries at Fort Fisher had been taken by naval and military forces cooperating on the coast: and when he left Savannah and advanced into Carolina his movement forced the evacuation of Charleston. Mobile had been taken by Farragut and land forces operating with him early in August. Not a port of consequence remained to the Confederacy; and the very fields that had fed the southern people were swept bare. Sherman's men had left little enough in their track. They had devoted themselves to destruction and the stripping of the land they crossed with a thoroughness and a care for details hardly to be matched in the annals of modern warfare. The old heats of civil war, dreaded since the world began, had been blown very hot as year was added to year in the bitter struggle, and each soldier played the marauder very heartily. What the South had not spent or war consumed he stripped her of as he could. What he did not need or want he destroyed.

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By spring, as Sherman swept slowly northward through the Carolinas for a final junction with Grant in Virginia, the inevitable had been accepted, and the war was over. Lee had not had the strength to prevent the federal lines from being drawn completely around him. By the first days of April he had found Richmond untenable and had withdrawn towards Danville, hoping to effect a junction with Johnston, now once more in command of the decimated force that was facing Sherman coming north; but everywhere he was cut off, entangled, outnumbered; and on April 9th he surrendered to General Grant at Appomattox Court House. On the 26th Johnston surrendered to Sherman; and the end had come. The most honorable terms were granted. Both men and officers were to be released on parole. They were to keep their horses, "because they would need then, for the spring ploughing and farm work," General Grant said, in his simple fashion. The horses were not the property of the confederate government, the federal commander was surprised and touched to learn, but of the men who rode them,—like almost everything else they had or used. The final arrangements were made almost as if by a conference between friends, both commanders quieted and solemnized by thoughts of the great matter they were bringing to a close. Another course had been pressed upon General Lee, by some of his own officers, and even suggested by the President of the Confederacy. It had been proposed that he should disperse his army, to gather it again in small fighting squads at every point of vantage and make the conquest of the South impossible through the quick and ceaseless operations of guerrilla bands moving broadcast over the whole face of the various country. But he had refused with a sort of solemn anger. "You must remember we are a Christian people," he said. "For us, as a Christian people, there is now but one course to pursue. We must accept the situation; these men must go home and plant a crop; and we must proceed to build up our country on a new basis." The way of duty was plain to him.

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And then, at the end, when the terrible days were over and a healing time of peace at hand in which passion might run cool again and men remember their common ties of citizenship and fraternity, a deeply tragical thing happened, as if to fill the cup of sectional bitterness to the brim and mark forever the fatal distemper of civil strife. On the evening of the 14th of April, 1865, five days after General Lee's surrender at Appomattox, ere Johnston had yielded to Sherman, Mr. Lincoln was shot in his box at Ford's Theatre in Washington, and the next day lay dead. The assassin had been John Wilkes Booth, the distinguished actor, half crazed by blind enthusiasm and poignant regret for the lost southern cause.

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Mr. Lincoln had but a short month before entered upon his second term as President. The election had been held while General Grant was drawing his lines closer and closer about Petersburg and Richmond, while Sherman was sweeping southward from Atlanta to the coast of Georgia, while the struggle culminated which the last election had brought on. Passion had stirred in it as in the contest of arms itself,—not the ordinary ardor of parties arrayed against one another by sharp differences of principle, but the deeply excited passion which days of revolution and supreme crisis must always breed. The war had not run its extraordinary course without touching the very government itself with revolution. The constitution had been framed with no thought to provide for such days as these, when States were breaking away from the Union and the government was struggling for life itself; and with the unlooked for exigency had come unlooked for and arbitrary acts of power. The whole authority of the nation had seemed of a sudden to be concentrated in the Executive, without restraint of law. Citizens suspected of sympathy with the southern Confederacy had been arrested and thrown into prison, deported even, upon orders which were no better than lettres de cachet. Many an undoubted principle of the constitution had seemed as if for the time suspended, in order that the executive and military power might move supreme, to meet a supreme necessity. Mr. Lincoln had acted oftentimes with the authority almost of a dictator, and had permitted his Secretaries, particularly the Secretary of War, a license of power greater even than he would himself have used. Individual rights had seemed for a time suspended.

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The men who knew the President and were near him saw no permanent danger in all this, for they knew the singular nature of the man, detected not a movement of personal ambition in his exercise of power, felt with what kindliness of judgment and with what sober motives of public service he acted, and looked confidently to see all things restored as of course to their old poise and balance when the storm of war had passed. But men who were not near him could not so see him. Even politicians of his own party thought him unsafe. Many plain people everywhere thought him more—thought him capable of hopelessly marring the government and permanently weakening the foundations of individual liberty in the very act of saving the Union from overthrow. Fortunately rank and file had caught the spirit of the war, and the spirit of the man. Moreover, in his own homely phrase, it was no time, as every thoughtful man perceived, to risk swapping horses in the midst of the stream; and he received the electoral votes of every State that took part in the election except New Jersey, Delaware, and Kentucky.

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There had seemed for a brief while, nevertheless, not a little danger of his defeat, and he had been nominated for his second term by a convention not gathered from the Republican ranks merely but made up to represent all men, of whatever party allegiance hitherto, who deemed him the nation's indispensable instrument and servant at that time of crisis. As a consequence of the composite make-up of the convention, Mr. Andrew Johnson, a Union man but a Democrat, of Tennessee, had been nominated for the Vice Presidency, as if to mark and emphasize the cooperation of groups and sections which the time had called forth. Mr. Lincoln's death made Mr. Johnson President. The first tasks of peace were to be hardly less difficult and perplexing than the tasks of war had been, and the party which had triumphed was left without executive leadership at their very threshold.

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The chief general authorities for the years covered by this chapter are the fifth and sixth volumes of Schouler; the fourth volume of Bryant and Gay; Alexander Johnston's History of American Politics and articles in Lalor's Cyclopaedia of Political Science, Political Economy, and United States History, especially the articles Secession, Dred Scott Case, Rebellion, and Confederate States; Larned's History for Ready Reference; the second, third, and fourth volumes of James Ford Rhodes's History of the United States from the Compromise of 1850; the sixth and seventh volumes of von Hoist's Constitutional and Political History of the United States; and Nicolay and Hay's Abraham Lincoln: A History.

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Among special treatises, dealing with particular interests or aspects of the war and its policies, the following are important and representative of a vast number of books: Horace Greeley's American Conflict; Henry Wilson's Rise and Fall of the Slave Power in America; Edward A. Pollard's Lost Cause; Joseph Hodgson's Cradle of the Confederacy; Edward McPherson's Political History of the Rebellion; Frederick Law Olmsted's Cotton Kingdom; Jesse Macy's Political Parties in the United States, 1846-1861; William H. Seward's Diplomatic History of the Civil War; James M. Callahan's The Diplomatic History of the Southern Confederacy; John C. Ropes's Story of the Civil War; William A. Dunning's Essays on the Civil War and Reconstruction; James Spence's The American Union; H. C. Fletcher's History of the American War; George Lunt's Origin of the Late War; Frederic Bancroft's The Final Efforts at Compromise in the sixth volume of the Political Science Quarterly; J. D. B. DeBow's Industrial Resources of the Southern and Western States; T. S. Goodwin's Natural History of Secession; Joel Parker's Personal Liberty Laws; Marion G. McDougall's Fugitive Slaves; Leverett W. Spring's Kansas and Nathaniel S. Shaler's Kentucky in the American Commonwealth Series; F. W. Taussig's Tariff History of the United Sates; and A. S. Bolles's Financial History of the United States.

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Among the important biographies, whether for weight of narrative or for side aspects of the great struggle, are George Ticknor Curtis's Life of James Buchanan; John T. Morse's Abraham Lincoln in the American Statesmen Series; Henry J. Raymond's Life of Lincoln; F. W. Seward's Seward at Washington; Edward L. Pierce's Memoir and Letters of Charles Sumner; Lyon G. Tyler's Letters and Times of the Tylers; Pleasant A. Stovall's Life of Robert Toombs; Charles Francis Adams, Jr.'s Charles Francis Adams in the American Statesmen Series; William P. Trent's Life of W. G. Simms; A. M. Williams's Sam Houston and the War of Independence in Texas; Susan D. Smedes's Memorials of a Southern Planter; Alfred T. Mahan's David Farragut; Henry A. White's Robert E. Lee and the Southern Confederacy; Robert M. Hughes's General Johnston; Frederic Bancroft's Life of William H. Seward; and Albert Bushnell Hart's Salmon P. Chase in the American Statesmen Series.

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The military history of the war and the discussion of slavery which necessarily went along with it may be found set forth in Theodore A. Dodge's Birds-Eye View of Our Civil War; Comte de Paris's Military History of the Civil War in America; John W. Draper's History of the Civil War; The Century Company's Battles and Leaders of the Civil War; Heros von Borcke's Memoirs of the Confederate War for Independence; Lieutenant Colonel G. F. R. Henderson's Stonewall Jackson and the American Civil War; Mary Tremain's Slavery in the District of Columbia, in the Publications of the Historical Seminary of the University of Nebraska; Richard Hildreth's Despotism in America; Samuel Sea- bury's American Slavery Justified; Robert L. Dabney's Defence of Virginia and the South; Thomas R. R. Cobb's Inquiry into the Law of Slavery; H. Sherman's Slavery in the United States; William H. Chambers's American Slavery; Daniel R. Goodwin's Southern Slavery in its Present Aspects; John Henry Hopkins's Views of Slavery; James Williams's The South Vindicated; A. T. Bledsoe's Is Davis a Traitor? John C. Hurd's Law of Freedom and Bondage and Theory of Our National Existence; and P. C Cents's Republic of Republics.

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Some of the sources for the period may be found in The Congressional Globe, the official documents of the government, notably the Official Records of the Rebellion; the contemporary newspapers; Appleton's Annual Cyclopaedia, especially under the titles Congress of the United States, Congress, Confederate, Confederate States, United States, Army, and Navy; Horace Greeley's History of the Great Rebellion; Alexander H. Stephens's Constitutional View of the War Between the States; O. H. Brownson's American Republic; Thurlow Weed's Autobiography; G. T. Curtis's Correspondence of John Lothrop Motley; Hugh McCullough's Men and Measures of Half a Century; John Sherman's Recollections of Forty Years in House, Senate, and Cabinet; The Sherman Letters; Ben. Perley Poore's Perley' s Reininiscences; Henry A. Wise's Seven Decades of the Union; S. S. Cox's Three Decades of Federal Legislation; J. H. Gilmer's Southern Politics; William H. Seward's Autobiography; James Buchanan's Buchanan's Administration; Frederick Law Olmsted's Journey in the Seaboard Slave States, Texas Journey, and Back Country; Hinton R. Helper's The Impending Crisis; Mrs. Coleman Chapmau's Life of John J. Crittenden; E. D. Keyes's Fifty Years' Observation of Men and Events; L. E. Chittenden's Reports and Debates of the Conference Convention; the third volume of Alexander Johnston's Representative American Orations; George Cary Eggleston 's A Rebel's Recollections; Reuben Davis's Recollections of Mississippi and Mississippians; Jones's A Rebel War Clerk's Diary; Ulysses S. Grant's Personal Memoirs; William T. Sherman's Memoirs; A. G. Riddle's Recollections of Far Time; Dabney H. Maury's Recollections of a Virginian in the Mexican, India, and Civil Wars; Judith Iv. McGuire's Diary of a Southern Refugee During the War; Herndon's Life of Lincoln; L. E. Chittenden's Recollections of Lincoln and His Administration; James S. Pike's First Blows of the Civil [Far; A. T. Porter's Led On Step by Step; Jefferson Davis's Rise and Fall of the Confederate Government; Nehemiah Adams's South Side View of Slavery; William Harper's The Pro-Slavery Argument; the Papers of the Southern Historical Society; James Stuart's Three Years in North America; Frederick Douglass's Life and Tinies, written by Himself; Solomon Northrop's Twelve Years a Slave; the case of Dred Scott vs. Sanford, reported in the 19th volume of Howard's Reports; and the case of Texas vs. White, the leading decision of the Supreme Court with regard to the right of secession, reported in 7th Wallace's Reports.

Chapter 5:

The Confederate States

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THE nation, shaken by those four never to be forgotten years of awful war, could not return to the thoughts or to the life that had gone before them. An old age had passed away, a new age had come in, with the sweep of that stupendous storm. Everything was touched with the change it had wrought. Nothing could be again as it had been. The national consciousness, disguised, uncertain, latent until that day of sudden rally and call to arms, had been cried wide awake by the voices of battle, and acted like a passion now in the conduct of affairs. All things took their hue and subtle transformation from it: the motives of politics, the whole theory of political action, the character of the government, the sentiment of duty, the very ethics of private conduct were altered as no half century of slow peace could have altered them.

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The sheer cost, the unspeakable sacrifices of the desperate struggle, made ineffaceable record of themselves in the thoughts and purposes of people and politicians alike. What had been spent to fight the fight out passed calculation. It had cost the country more than seven hundred men for every day of all the four long years of campaign and battle: four hundred killed or mortally wounded on the field, the rest dead of disease, exposure, accident, or the slow pains of imprisonment. The federal government had spent thirty-four hundred million dollars upon the war-nearly two and a half millions for every day it had lasted; and less than eight hundred millions of that vast sum had come into its coffers from the taxes. More than twenty-six hundred-millions had been added to the national debt. The Confederacy had piled up a debt, upon its part, of nearly fourteen hundred millions, and had spent, besides, no man could say how much; for the scant yield of the taxes had been supplemented by direct requisitions on the farmers for the food supplies of the armies; States had undertaken, so far as they could, to support their own volunteers in the field; private purses had been opened to pay for the equipment of sons and brothers sent to the front,—every public and every private source had been drained.

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In the North four men out of every nine of the military population had been enlisted for a service of three years in the field: in all 1,700,000 out of a military population of 4,600,000. Of these three hundred and sixty thousand had lost their lives; one hundred and ten thousand by the actual casualties of the field. But the sacrifices of the South had been greater yet,—immeasurably greater. The North had spent out of its abundance; the South had spent all that it had, and was stripped naked of its resources. While the war lasted it had been stripped naked also of its men. Nine men out of every ten of fighting age had gone from country-sides and towns to the field, reckoning only those who enlisted for at least three out of the four years of the struggle. Before the war ended mere half grown boys and men grown old were included in the muster. The total military population of the South was but 1,065,000. Nine hundred thousand of these she drew into her armies for at least three years of service. The lives of close upon three hundred thousand she gave as her sacrifice of blood-more than one-fourth of all fit for the field. Ninety-four thousand lost their lives in actual battle. South Carolina lost one-fourth of her military population by the casualties of the field. The armed hosts and power of the North increased as the strength and resources of the South diminished. In 1861 the South had had 98,000 men in the field, the North 187,000; in March, 1865, though their levies had risen at the culmination of their effort but a little more than a year before to 471,000, the southern commanders had only 175,000 men to surrender to armies which aggregated 980,000 against them. The muster of federal forces increased even while the last scenes of war were being enacted and its tasks drawn to a close. When the surrender of the southern armies came they had grown by more than ten thousand, and there were 1,000,516 men awaiting their final discharge.

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They were rapidly disbanded: sent home, when once peace was assured, at the rate of three hundred thousand a month. Only fifty thousand men were retained as a standing force. They turned to the duties of peace again and were absorbed into the mass of men whence they had come as quietly as if even civil war were but an episode in the long story of the national life. The common tasks of the communities to which they returned had gone forward, uninterrupted, without them; they returned merely to fill in the vacant places again and make complete once more the industries of their homes. The southerners, on the contrary, paroled at their surrender, and humanely bidden keep their horses for the spring ploughing, turned back to fields swept bare and desolate, villages whose life had first languished and then stood still, towns without trade or industry, where everything waited to be planned and begun anew, as if there had been no past to place foot upon. Their country had indeed, as General Lee said, to be "built up on a new basis." They carried back to it no smallest part of what the ravages and untold costs of war had stripped away. Their lives were divested of everything that belonged to the age gone by save only their thoughts: thoughts of irreparable loss, of principles long revered but now discredited, of a social order cut up by the roots, of a life thrust away to be henceforth a mere bitter memory, of a future of new effort to be faced with all the pains of utter disaster thick upon them.

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Travellers from over sea had said that to cross the line between North and South was like passing from one century to another. In the one section they found an almost antique order of life, changed scarcely at all from that which settlers out of the elder England of the Stuarts and the Prince of Orange had established in Virginia and the Carolinas; in the other, all that belonged to the modern world,—communities quick with the movements of a various commerce, busy with mining, manufactures, the construction of railways, the diversification of industry. The South kept still the social order and the social and political ideals of an elder generation. Slavery gave it a touch half mediaeval, half oriental. There was something of the patriarchal way of life in the broad country-sides where masters of fields and flocks and herds went in and out upon their errands of superintendence among groups of dusky slaves; something, too, that recalled the mediaeval lord and his serfs. And yet there was the air of the nineteenth century, too, the touch of democracy, in the plain and wholesome simplicity of the planters' lives, and their frank comradeship with all their neighbors who were of their own privilege of citizenship. The commerce of the modern world passed in and out at the souther ports as at those of the North. Southern merchants felt the spirit of the times in all their enterprises; railways brought the products of every land and region to their shops and warehouses; the impulses of the world and of its changing thought stirred there as elsewhere. What held the South back in the way of the older centuries was its unaltered, its unalterable social order, which belonged to the age in which the constitution had been devised, not to that in which its whole spirit and operation had been subtly changed by the pervasive processes of national growth.

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When they conceived that the time had come to put their right of withdrawal from the Union into practice, the southern statesmen showed at once, with a manifest naturalness and sincerity, what generation they were of. They acted, with an all but unconscious instinct, upon the principles of 1788. They conceived the unmaking of the constitution to be, not an act of revolution or of lawless change, but a simple, though it were solemn, legal transaction, like the formal abrogation of a great treaty, to be effected by the same means by which it had originally been adopted. South Carolina, who led in the fateful business, adjourned her legislature and called a constitutional convention together: a body like that which had declared her assent to the constitution in the far year 1788. By formal ordinance of that convention the ordinance of the convention of 1788 was repealed, and the connection of the State with the Union authoritatively severed. That was her act of "secession," taken in the highest sovereign fashion known to her law and tradition. As in 1788, so now there was no submission of the action of the convention to the vote of the people for ratification. A representative convention was as sovereign in South Carolina in 1860 as in 1788. The other States followed her example as of course. Their theory of constitutional right and practice was identical with hers. Each State in its turn called a convention, as in the old days of the formation of the Union, and committed to it as of course the sovereign determination of the political connections of the commonwealth. Each convention in turn repealed the ordinance of the convention which had stood in its place seventy years before.

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And then, because the old process was being reversed and a government not made but set aside, the same conventions went on to take up the task of reconstruction, that another government, more to their liking, might be set up in the place of the familiar one now rejected. They chose delegates to meet at Montgomery and frame a constitution under which a government should be established for the seceded States about to be combined in a new confederacy. When the work of the Montgomery convention was finished, they ratified and accepted it, without resort to the people or renewal of their authority. It was a critical time. Those who directed the unprecedented business were subtly aware, for all their stout theory of legal right, that the touch of revolution was upon all that they did. The work was therefore hurried forward. Hot feeling was astir. Rumors of force to be used, of armed resistance by the North, were in the air. It was imperative that the new group of States should be ready as soon as possible with a common organization through which they could act effectively and to a common purpose. The convention at Montgomery, therefore, at once chose officers for the new government as well as a constitution, and gave it an immediate temporary organization; and the sovereign conventions of the several States unhesitatingly ratified all that it did. Not until the year was out which had been fixed as the term of the provisional government was the direct action of the people asked for, except in Texas, which came to its resolution of secession while the new confederate government was in process of formation, and Virginia, which waited until it had been formed. In each of those States the ordinance of secession was submitted to the vote of the people and ratified by them. Even when the term of the provisional government had expired the voters of the new Confederacy were asked, not to ratify the constitutional arrangements upon which it had been founded, but only the choice of officers which the convention had made. They chose electors and members of Congress, merely, and affairs went on as they had been planned.

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There was here no distrust of the people. No one doubted the legal validity of what had been done or deemed the method revolutionary or undemocratic. Nowhere else was there such homogeneity of opinion as in the South, nowhere else so habitual an acquiescence in conservative and established ways of action. It was not, however, a habit rooted in lethargy or indifference. Nowhere else in the world, perhaps, was there a more alert political population, a rank and file more keenly alive to points of political doctrine and practice. Politics were everywhere the favorite theme of conversation. Many a white man of the poorer class could read as little as any slave; but he heard his leaders so often upon every question of moment, whether of domestic or of foreign policy, at court, on market days, at neighborhood rallies for political discussion or religious exercise, at public barbecue and festival, that news came to him without newspapers and the principles of politics without books. Every matter of large significance or small he heard debated by the best informed men of the country-side. They gave him, first or last, no small part of what they had learned by travel, by reading, by service in the public councils. Through them he knew the characters and the motives of public men, the gossip as well as the controversies of politics, the happenings and the humors of the wide world. With such things to talk about around the fireside and at the cross-roads shop, upon his long rides from plantation to plantation and with his cronies upon every casual meeting, he had more than books could have given him.

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Southern speakers felt as much put upon their mettle before audiences gathered at their neighborhood hustings in the midst of a season of controversy as before any audience gathered in the capitol at Washington. Southern voters were not likely to be made dupes of. They had elected the men who sat in the sovereign conventions which cut their connection with the Union with a full knowledge of the business they were to meet upon, and did not doubt that the conclusions of those bodies were their own authentic acts. Political method was not in dispute among them. They accounted themselves disciples of Mr. Calhoun in respect of constitutional right and the legal remedy for abuses in the conduct of the federal government. What he had taught them was in their minds the commonplace and matter of course foundation of political theory. They did not doubt that they had the right to secede, or that sovereign representative conventions were the proper instruments of secession.

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But many of them had doubted the policy and the occasion. Men forgot afterwards the sturdy fight made among the southern people for the preservation of the Union, by men whom all southerners loved and would upon ordinary occasion have followed right willingly; forgot the doubtful balance of parties and opinion there had been among them for many anxious years together. That final breach and agitation between North and South had begun, not a single short year before, when Mr. Lincoln was nominated and the Republican party began to gather for its triumph, but in 1848, when the territory acquired from Mexico was to be disposed of as between North and South and southern men had insisted that the balance between the sections, disturbed in 1820 by the compromise concerning Missouri, should be redressed. Mr. Douglas's unpalatable doctrine of "squatter sovereignty" bad deepened the mischief. He softened it as he could, to keep the southern men at his back; but the disguise of his careful phrases was strip ped off by Mr. Lincoln in debate. The searching questions of a masterful opponent forced him to say that, though no law of Congress could exclude property in slaves from the Territories, the unfriendly provisions of territorial law itself might, if the settlers chose, render its tenure practically impossible. From that day the southern leaders knew that to act with a party which followed Mr. Douglas was to lose the constitutional battle they had fought a long generation through for the balance of power between North and South. There was steadfast love for the Union in the South as in the North. Mr. Calhoun had loved it, and it had broken his heart that he could not save it upon the principles which he conceived to be its heart and life. Men who knew the South only by some casual glimpse of southern men, some brief journey through the southern country, some transient sojourn of a single season, deemed the southern people as unstable, as easily stirred to rash action as a Gallic populace, so passionately did they seem to respond to the appeals of their orators, so eagerly did they yield themselves to the excitements of every agitation. But they were an English folk, strengthened here and there by the sober Scots-Irish strain and the earnest blood of the steadfast Huguenot. They held to their principles, their habits, their prepossessions with a simple, instinctive, undeliberate consistency which no excitement of the moment really touched or unsettled. They had been schooled, as all the nation had, in a loyal allegiance to the Union which their own statesmen had done so much to set up and make illustrious. Whatever their old-fashioned view of the character of its constitution or of the rights of the States as members of the great partnership, no ordinary occasion, no sudden gust of passion could have torn their thoughts from those old moorings. It had taken a long twelve years of agitation to get them in revolutionary mood, and men whom they equally loved and heeded had stood all those critical days through on the one side and on the other in determined combat, some to save, some to break the Union. It was by appealing to their very conservatism, their attachment to the older models and theory of their government, that the advocates of secession had won.

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It had been a battle of statesmen and orators, and only at the last had the advocates of secession triumphed. Many an influential planter in the South was by sheer instinct of class and tradition a Whig, and held himself, alike by interest and by natural obligation, an ally, not of the democracy to which Mr. Jefferson had given life, but of men of property and of vested right everywhere. If his neighbors and the small farmers and the tradesmen of the towns were Democrats, even they chose their party alliances by a conservative instinct: because they deemed the Democratic party a conservator of old views, the most trustworthy opponent of newfangled doctrine and revolutionary change. Many a Whig planter believed devoutly in the sovereign rights of his State, and the preservation of those rights was at the very heart of every southern Democrat's creed; but love of the Union and reverence for law underlay the thought of all alike and stuck fast in the stubborn fibre of an English race. It was such a people that went to school to its orators to learn the issues and the final purposes of the fateful decade 1850-1860. A few resolute men turned them to secession.

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A single figure stood for a while, almost alone, at the front of the coming revolution, the figure of William L. Yancey, of Alabama. Before Mr. Calhoun died Mr. Yancey took up the theme which had darkened the last utterance of the aged Carolinian like a prophecy of ruin—took it up, not as a counsel of despair, but as a counsel of duty. Compromise between North and South, he declared, was out of the question. In 1846 he resigned his seat in Congress because he would contact with any party which so much as debated the exclusion of slavery from the Territories; and went home to spend the remainder of his life and every power of his strong mind in the advocacy of a course which once and for all rejected compromise and accepted only the doctrines which should forever safeguard the constitutional rights and material interests of the South, even though such a course should lead to a disruption of the Union. He was a man of no majesty of presence, no adventitious grace of manner; never studied his art as agitator or sought to catch the people by any assault of passionate appeal; but burned with a conviction which had its own dignity and irresistible might; used the ways of frank, direct, engaging speech which went most naturally with his open, unaffected nature; argued his case to the bottom, plead it with whole-souled ardor, as a thing not of expediency but of right, and was careless where it should take fire of itself. Above all, his words rang, upon every theme he touched, in a voice whose slightest tone thrilled along the blood, so rich, so flexible, was it, so compact of the quiet passion of the mind. While others wavered, caught now at this expedient and again at that to turn the current he was setting against them, against the Union itself,—he held steadfast, undoubting, to his simple theme. Majorities followed him and left him; conventions heard him now with acquiescence and again with deep disquietude and passionate dissent; but no man could decline to listen when he spoke, and none who heard him could long steel himself against the charm and power of his appeal. It was the tones of his voice, the resonant echo of his theme, that seemed to linger in the air after every controversy. It was he more than any other who taught the South what Douglas really meant; he, more than any other, who split the ranks of the Democratic party at Charleston, made the election of Douglas impossible, and brought Mr. Lincoln in.

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He had foreseen what must come, and hesitated as little after the event as before it. He was for immediate and final secession; and, though he had to carry the fight to the very floor of the convention of his State, met to make the final critical decision, he won it there, by an initial majority of eight votes. Twenty-four members of the convention stood out against the action to the very last, and refused to put their names to the fateful paper which cut their connection with the Union; but the people accepted the decision of the majority, and he had his way. Men whom they had followed through many a long year, when Mr. Yancey was only their incomparable orator, not their leader, the people now rejected; and their own capital town of Montgomery saw the government of the Confederacy set up.

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Georgia had been won by a like slow and stubborn contest, doubtful till the very last. Even Mr. Stephens had held stoutly, indomitably to the side of the Union until the final movements of the fight had been lost and won,—the slender, delicate, singular man whom the convention at Montgomery made Vice President of the Confederacy: a man whose fragile, shadowy body seemed scarcely able to endure the keen flame of his thought. He admitted the legal right of secession, but he turned upon every argument of expediency or necessity urged in its favor a searching light of ridicule, criticism, satire which it was hard for any man to stand in and not flinch. The piercing tones of his high-pitched, feminine voice seemed to add to the cutting force of his words. But men of a different sort had overborne him. One figure in particular took the imagination and ruled the spirits of that susceptible people, the figure of Thomas R. R. Cobb. The manly beauty of his tall, athletic person; his frank eyes on fire; his ardor, as of a man not arguing a case of politics or expediency but given over to a cause not less sacred, not less fraught with the issues of life and death, than religion itself; his voice, as musical and as sure to find its straight way to the heart as Mr. Yancey's, made his words pass like a flame from country-side to country-side.

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There could be no doubt what the constitution of the Confederacy should be. The advocates of secession had not rejected the constitution of the United States as it had been in the first days, when read, as they conceived, in its simplicity and original import, but only the corrupt interpretations which had been put upon it, the leadership of parties which would have wrested its meanings to the South's destruction. They made a constitution at Montgomery, therefore, which they meant to be in all essential things a counterpart of the constitution of the Union which they had abandoned,—except that in their own document what they held to be the implicit meanings of that constitution were made explicit, and its errors and weaknesses of detail corrected. "We, the people of the Confederate States, each State acting in its sovereign and independent character," ran its preamble, in order that the role of the States in the free partnership might not again be questioned. Protective tariffs it specifically prohibited, as well as all internal improvements at the general charge; and the power to emit bills of credit it did not grant. The recognition and protection of slavery in all territories of the new government it made an explicit principle of fundamental law. The importation of negro slaves from foreign countries, on the other hand, it explicitly forbade; and the Congress was given power to prohibit the introduction of slaves from any State or Territory of the older Union. New States were to be admitted only by a vote of two-thirds of each house of Congress, "the Senate voting by States." Every state legislature was accorded the right to impeach confederate officials whose duties lay entirely within its own territory. The demand of any three States assembled in their several conventions" was made sufficient to secure the calling of a convention of all the States for the amendment of the constitution. It was thought best, in view of experience in the older Union, to extend the presidential term to six years, and to make the President ineligible for re-election. The President was explicitly given authority to remove at his pleasure the principal officer in each of the executive Departments and all persons connected with the diplomatic service; but he was empowered to remove other civil officers only for dishonesty, inefficiency, misconduct, or neglect, or when their services were unnecessary, and he was required to report to the Senate his reasons for removal in every such case. He was granted the right to veto individual items in appropriation bills; and the Congress was forbidden, except by a two-thirds vote, to make any appropriations not asked for and estimated by the heads of the executive Departments, unless such appropriations were for the legitimate expenses of Congress itself or for the payment of just claims against the government which had been judicially determined. Congress was authorized to grant seats upon its floor and the right of debate upon all public measures to the heads of the several executive Departments, in order that Congress and the Executive might act in closer harmony and easier cooperation than had been possible in the old Union.

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There was to be no time of peace, it turned out, in which to make test of these new provisions. They bespoke men as their authors who had kept an observant and sagacious eye upon affairs, and who had perceived very clearly where some of the dangers and inconveniences of the older system lay; but no work of criticism or of reconstruction was of much avail amidst the furious storms of war into which the new government was plunged from the very outset. Whatever frame of government they might have devised, the Executive must have stood supreme at the front of all action while war held, a war for very existence. A nice balance of constitutional adjustment was out of the question. Counsel was hastened, debate postponed; the exigency of each occasion determined the means and the mode of action. Constitutional safe guards gave way to the mere problem of making the existence of the government good upon the battlefield. Critics of what was done might for a little while affect opinion out of doors or at a distance from the field, but they could not change the course of affairs. Moreover, war itself altered the whole atmosphere of opinion. No doubt at first the people had been persuaded, perhaps overruled, by a handful of leaders, and had assented with a vague hope rather than with any confident purpose to the radical courses of secession, resentful of the wrongs they conceived themselves to have suffered in the Union rather than desirous of independence or of a new government set up in rivalry to the old upon that familiar seaboard. They had been assured that there would be no permanent separation: that new terms and a stricter understanding of rights must be had with the northern partners, and that better terms could be made out of the Union than in it, by secession than by submission. No doubt their leaders had themselves believed this, had actually hoped to see their States re-enter the old Union with a new security for their interests, a firmer, more definite position of right. Only the actual use of force against them had changed their temper and their hope; and war had wrought as deeply upon the spirits of the people as upon their own. When once the call to arms was made, doubts dropped away, the spirit of a whole people leaped within them, the very provisions of their new constitution became for the time almost a matter of indifference. Debate was over, and spontaneous action had begun, touched with a new ardor and a terrible enthusiasm.

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Not every one, indeed, was caught by the new passion. Here and there groups of men held stubbornly off from the desperate business and would not be drawn into it. In one of the northern counties of Alabama, Mr. Yancey's own State, Union men outnumbered secessionists four to one and maintained themselves in military organization. A southern county of Mississippi accepted the doctrine of secession, indeed, but interpreted it in its own behoof, and solemnly seceded from the State and from the Confederacy rather than send its men to distant battle fields. And yet the real burden of the war fell, not upon the spirits of men, but upon the resources of the country. Though the South should call upon every man of her fighting population to go into the field, she had but one-fourth as many men fit for the field as the North. Armies must be fed and clothed, besides, and the South was put to the utmost strain to keep her men as well even as the ragged levies of the Revolution had been kept, who had deemed it a plentiful bounty to escape starvation. A four years' war was of necessity a war of resources, and the South was but an agricultural region, its population spread widely abroad over a great area, only here and there a railway, its matchless stores of coal and iron almost untouched, no manufactures set up, save here and there a cotton mill or a woolen factory, its own cotton woven for the use of southerners themselves, chiefly in the great manufacturing centres of the North.

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Southerners knew themselves dependent on Europe or the northern States for almost every yard of cloth, every coat or shoe or hat that they wore; for their agricultural implements, carpenter's tools, wagons, cordage, nails, harness, saddles, axes, tubs, buckets, their very chemicals and medicinal drugs—for everything except their bread and meat. The war shut them close with in their boundaries. The cordon of blockading fleets all but sealed their ports; the steady extension of the federal lines down the valley of the Mississippi River and across the broad reaches of the States of Mississippi and Tennessee to the southern spurs of the Appalachians at Chattanooga thrust their western frontier in to the mountains. Between that impenetrable wall and the closed seas they were pent up, with no markets, no means of life or comfort or subsistence, no military supplies save such as they could themselves make or take from their enemy. They could get no more railroad iron, no more locomotives, no more railway carriages or cars for freight, no more steam boilers or engines, no more telegraph wire, no more spades to use in the trenches, unless, in the midst of war, they created out of hand an entire industrial system, for which they had neither trained master mechanics nor fit workmen.

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Her cotton, her tobacco, and her rice, had supplied the South with the wealth with which she had paid the prices of the world for her clothing and her tools and all the varied product of the factories. Of the great staples rice and cotton she had almost a monopoly. Her cotton fields supplied half the world; her rice and tobacco found their way into every market. Nearly one-third of the Indian corn of the country, moreover, came from her plantations. But, without markets, the crops were valueless. The value of the cotton exported in 1860 had been $202,741,351. In 1861 it was but $42,000,000; in 1862 but $4,000,000. The value of the rice exported in 1860 had been $2,567,399. The value of that exported in 1862 was $156,889. The rice fields, moreover, lay upon the exposed southern coasts, where the federal fleets gathered stronger and stronger month by month, and had presently to be abandoned. It was no slight embarrassment and bred a great disturbance of values that there was no way, so long as she was thus shut in, by which the South could replenish her stock of specie. Some specie there was, of course, in the banks; some came in at the outset by way of loans obtained abroad, before the blockading fleets were numerous enough to intercept it; but its quanitity was insignificant as compared with what was needed to hold the currency stable when treasure was being poured out for the war. The bulk of it was paid out almost at once to meet foreign balances. Private individuals hoarded all they could lay their hands on, and it practically passed out of circulation. Paper money took its place, the promises of States as well as of the confederate government itself; grew in volume from month to month with startling rapidity; and sank in value as the old continental paper had sunk in the days of the Revolution. No man knew for how much he was selling his crops when he sold them for paper. No man could guess how much of that questionable currency would be necessary to pay his debts another year. Postal clerks at Richmond presently found themselves obliged to resign because they could not live on a salary of nine thousand dollars.

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Abundant harvests of grain filled the fields all the anxious four years through. The smiling valley of the Shenandoah and the fertile fields of central Georgia had been the chief granary of the South. The Shenandoah was swept from end to end by the contending armies; the grain of central Georgia ripened just in time, in 1864, to feed the army of General Sherman as it pushed southward to the sea. But other fields supplied what the ravages of war destroyed. Cotton being no longer salable, provident planters sowed corn in its stead. What seemed next to impossible was to get the grain to market. The railways were in constant use by the armies; the common roads were falling into utter disrepair; wagons and teams were at the front with the soldiers; many a household within but a few miles of well-filled granaries found itself put to sore straits to get food. It was hard, moreover, to live on maize alone. Very little wheat grew in the southern fields; very far from enough to supply all the southern country with wheaten bread. Southern housekeepers were put to their wits' ends to devise means to diversify the diet of their households and make it wholesome. New food stuffs were brought into requisition: peas that had before been offered only to cattle, roots that had hitherto been thought only curious or medicinal. Coffee and tea were shut out with the closing of the ports, and every possible substitute was tried.

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And yet to get food was a simpler matter than to get shoes and clothing. Looms which had not seen thread since the Revolution were brought forth out of attics and put to the task of making "homespun" for a whole household. Since tanneries were few and used their primitive processes with infinite slowness, leather could scarcely be had; and when shoes wore out there was nothing for it but either to go barefooted or substitute rude wooden clogs shod with iron. Men followed the armies to pick up for the tanner the hides of the animals slaughtered for the soldiers' food. Riding saddles were stripped of their skirts that no piece of leather might be wasted. In mild weather the children could go without shoes; in severe weather they were kept within doors. The very cards with which the cotton fibre was carded for use on the looms had teeth of steel wire which could not be replaced when they wore out, and every card was guarded and mended like a priceless treasure. Infinite care and a novel ingenuity gave to every domestic duty a new significance. Every plantation had its smoke-house, and before the war came on carefully cured hams and sides of bacon had furnished the commonest dish of meat, whether for the table of the slave's cabin or of the master's house; but the South had then imported its salt. There were but one or two salt mines within the borders of the Confederacy; and when armed men and ships had been drawn about those borders there was not salt enough for the smoke houses. There was scarcely enough for the kitchen. The very floors of the smoke houses were scraped for the salt that might be got from the drippings of past years; and gentle and common alike went without their accustomed dish of bacon.

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The armies, of course, suffered most from every kind of want that had come upon the land. To march without shoes, to make shift with torn and ragged clothing which there was little hope of replacing, to fight and endure hardship on half-cured bacon and a scant dole of hard corn bread, to go without coffee or any stimulant, and finally to lack even healing medicines in the inevitable hospital put men of the stoutest constitution to tests more fatal oftentimes than those of the battlefield itself. There was coarse food enough in the country, but the government had scant means of paying for it and had no efficient commissariat through which to make sure of supplying the armies even with such things as it could obtain. One difficulty that immensely increased from year to year was the utterly insufficient means of transportation. There were a few long lines of railway which linked the main towns and seaports of the country together; but the armies could not be always lying close to these, and there were few side lines by which to reach the camps if the movements of the war drew the armies to a distance. Such lines as there were, moreover, hopelessly deteriorated from month to month. Such iron and steel works as the Confederacy contained or could build while the war lasted had to be used almost exclusively for the manufacture of cannon and military supplies, and could not have been drawn off from that indispensable work to make new rails and locomotives and car trucks for the railways even if there had been iron enough. And there was not iron enough. The country had to be stripped of every spare scrap of iron to make and repair the weapons of war. When rails wore out they could be replaced only by tearing up sidings and minor lines of road. When rolling stock fell into disrepair no new cars could be had. When the war was over little more seemed left of the railways than their graded road-beds and odds and ends of their rolling stock hardly fit for further use.

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The commanders in the field often found themselves as hard put to it to obtain military stores as to get food and clothing. The devoted women at home sent thousands of homespun garments to the front for their sons and husbands and brothers, and warm socks without number knitted with their own hands; even cut their carpets up to be sent to the camps for blankets; but the women could not make powder and guns. Considerable supplies of arms and munitions had been got in from England before the blockade was drawn tight about the ports, and across the border through Mexico before Texas and the Gulf ports had been cut off from the rest of the Confederacy by the pressure of hostile armies down the valley of the Mississippi. At the first act of secession southern forts and arsenals had been seized with large supplies of arms. General Jackson made rich prize of military supplies at Harper's Ferry; and many another success in arms swept the booty of the field into the confederate chests and armories. But with all this there were not arms enough for the great musters that went to the front. Cannon and arms had to be made, and made without materials except such as were already at hand. Every brass bell that could be found went to the foundry to be melted down and cast into cannon. Devoted housekeepers even contributed their brass preserving kettles and every piece of household brass that could be spared. Private fowling pieces were used when muskets lacked, and ancient muskets and side arms came once more into use which had hung upon the wall as curious heirlooms ever since the days of the Revolution.

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All the fire-arms used by the confederate armies were muzzle-loaders, and the mere supply of percussion caps became a matter of no small difficulty. A mechanic at the Richmond arsenal, the chief factory of arms, ingeniously contrived a machine by means of which a million caps could be pressed and filled every twenty-four hours; but the loss of the copper mines of Tennessee followed the occupation of Chattanooga by the federal forces, and the supply of sheet copper out of which the caps were made was suddenly cut off. An officer was despatched, accordingly, to North Carolina to buy and forward to Richmond every turpentine and brandy still he could find in the State, and the copper from these supplied all the caps used by General Lee's army during the closing year of the war. The caps were usually filled with fulminate of mercury; mercury could be had only from abroad; and the supply gave out. Diligent experiment was made, and it was discovered that a combination of chlorate of potash and sulphuret of antimony could be successfully substituted. The inventive genius and practical resourcefulness of men and officers alike were quickened by the extraordinary exigencies of those fearful years to make the most of what they had. Common glass demijohns were converted into contact torpedoes to close the channels of the southern rivers, and did their work with terrible execution. An assaulting party rolled bales of cotton before them for shelter as they worked their way forward to the storming of a position. Skilful and experienced mechanics were lacking, foundry men, ship carpenters, engineers,—for the South had hitherto had no need of these; but every man of education in the armies turned his wits and knowledge to practical account upon occasion and supplied the lack as best he could.

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Almost every white man of fighting age, and many who were too young or too old for the field, came first or last into the ranks, and the war seemed to be using the whole capacity of a proud and capable race. Hundreds of thousands volunteered; the rest were drawn in by conscription. Where it was necessary to use the entire fighting population it was impossible to rely on voluntary service, and the South, with its scant numbers for the field, resorted to conscription sooner than the North. It was absolutely necessary, of course, to leave some men at home to do the indispensable work of peace by which homes and armies alike were to be supported; but men enough even for that were not left at last, so inexorably had a drastic conscription swept the country of every possible soldier. So early as April, 1862, the confederate Congress had made all between the ages of eighteen and thirty-five subject to military service; in September of the same year it extended the obligation to men of forty-five; and before the end of the war it had called upon boys of sixteen and old men of sixty. Slaves served the armies from the first as body servants, teamsters, hostlers, cooks, and laborers on the fortifications. Before the war closed the confederate Congress, in its straits for men, authorized, with something like general approval, the enrollment of slaves as armed troops; but not until the end was at hand and the measure too late to be of practical importance.

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Such measures were but a proof of how the southern country was being stripped of everything, its men and its resources alike. There was proof in every action of the new government they had set up of the exigent difficulties, the utterly disconcerting perplexities brought upon the southern people by that unparalleled upheaval of civil war. In all counsels southern men had stood foremost in the advocacy of a central government of strictly defined and carefully limited powers, which should give to individuals and States the utmost possible latitude of independent privilege compatible with the maintenance of political authority and social order. They had flung out of the Union because the federal government had seemed to them to go too far in the arrogation of power. And yet the government they themselves had set up by way of protest became, amidst the entanglements of a war which involved its very existence, a power centralized beyond example in the history of America. Not only did all authority centre at Richmond, but all power at Richmond centred in the President and the heads of the executive Departments, particularly the Secretaries of the Treasury and of War.

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The North had a like taste of the consequences of war. Mr. Lincoln himself could not curb the wilful mastery of his Secretary of War. The rights of individuals gave way before the orders of an executive department: the supremacy of the war party and the power of the army were the law of the nation's life. But there was a limit. The courts were open; the law was not silenced; men lived their ordinary lives and were unmolested so long as they kept their hands from affairs which touched the government. Trade and peaceful employment were not throttled by a cordon of fleets and armies drawn about the land. Opinion moved openly and was outspoken, and every man could draw for himself the limits even of a government grown despotic to save the Union. But in the South war was, for the time being, the occupation and absorbing interest of a whole people. No man could draw wholly apart and live his own life. It was necessary, moreover, that the action of the war should be ordered, not by legislation and debate, but by executive authority, central, efficient, unquestionable. It was no time to stand on the punctilios of law. There was no certain means, indeed, of determining what the law was. The supreme court provided for by the constitution of the Confederacy had not been organized. War had come too soon. Litigation was postponed to the necessary first task of making the government sure of a chance to live at all.

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The houses could exercise no real restraint upon the Executive, because they did not put themselves into a position to understand or control it. Mere hereditary jealousy of executive influence made them unwilling to act upon the provision of their constitution which authorized them to bring the heads of the executive departments into their sittings to answer questions and take part in debate. There was, therefore, no intimacy of common counsel between Congress and the Executive; and the Executive, standing in the midst of affairs, standing where action was imperative, power necessary, debate perilous, stood at the centre of all initiative. Congress had no choice but to uphold its hands, and back it with the measures which the time, not statesmen's preferences, made necessary. Bitter debates from time to time marked its action. Sharp criticisms which cut to the quick of motive and policy rang in its halls. Many a battle of will against will disturbed the relations of the President and the houses. But more and more did the drift of war sweep all counsel into its current. Year by year the houses were emptied of their abler members, as the continental Congress had been in the old days of the Revolution. They were more needed for service in the field than for debate at Richmond. It grew less and less possible, moreover, to discuss the exigent matters of the war with open doors, through which voices of censure and doubt, of discord and protest, might get abroad, to the demoralization of opinion and the heartening of foes. From the first, when subjects of defence were under discussion, the sessions of the Congress had been secret. More and more did every question seem to become a question of defence, until at last secret sessions became the rule, open sittings the exception.

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It was in part the prudence of defence, not against enemies in the field, but against opinion within the Confederacy itself, that led the houses to close their doors so often. Opinion moved very uneasily under the masterful action of the government. Men were silenced rather than convinced. The right to the writ of habeas corpus had been promptly suspended in the South, as in the North. Those who showed themselves too openly out of sympathy with the government soon learned that arrest would follow a frank expression of their views. Even freedom of movement from place to place was restricted: no one could stir far abroad from his home without a passport from the government. There was little to wonder at if men chafed hotly under restraints which kept the hand of government, it seemed, upon every individual's thoughts and affairs. It had never been so before in the history of America. It almost passed belief that it should be so now in the South, where men loved individual dignity and independence with an abiding passion. It was singular how docile proud men became. Only once was there any notable instance of resistance to the government's sweeping acts of power. Governor Brown, of Georgia, when the conscription laws seemed to him to have passed all reasonable bounds of exaction, refused in set terms to allow the confederate recruiting officers to put the law into execution within the State. For the rest, there was hardly more than quiet distress and muttered protest.

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The financial measures of the government showed the straits to which it was put to support the struggle, and the extraordinary lengths to which the exigencies of the war were stretching its powers, quite as clearly as its wholesale drafts of men and its arbitrary arrests in rebuke of dissent. In its need for money the government had resorted to every expedient known to finance, even the most drastic and desperate. Money it knew from the first to be scarce. The banking capital of the South was but one seventh that of the North; the accumulation of specie and of stocks of goods out of all proportion smaller, and more restricted in geographical distribution. At the very outset provision was made for the payment of taxes in kind. When its redundant issues of Treasury notes failed to add enough to the direct taxes to meet the necessities of the exchequer, the government sought and obtained of the planters loans from their crops—promises of the payment into the Treasury of a certain proportion of the yield of their fields, in return for eight per cent bonds. When the time came in which the crops could not be sold for lack of a market, the government directly purchased the products of the fields, paying for them with bonds, for lack of anything else to pay. The several States themselves took supplies from the people for the troops they had undertaken to maintain in the field, and paid for them only with their own certificates of indebtedness. The property of all alien enemies was confiscated. In 1863, as it came to the final pinch of necessity, Congress authorized the seizure of food supplies at rates fixed every sixty days by state commissioners. There was hot protest and indignation at this, but necessity had become the law of the land. Some might grumble, and even make as if they would resist, but there was in fact no limit to the devotion of the people to the cause they had espoused. Women gave their very hair to be sold for the support of the government their men had sworn to establish.

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Before the end came that government had thrust its hand into practically every affair, whether public or private, that touched the sources of life. It had even gone into trade. When all money was spent loans and taxes came into its hands in the shape of the crude products of the soil. Cotton and food stuffs were a kind of legal tender in trade, but the stocks which accumulated in the government store-houses were too great and bulky to be made currency of in the purchases of the executive departments. The cotton, especially, it could not get rid of unless some exit could be made to foreign markets. The Treasury Department, therefore, would grant no clearance papers to any vessel preparing for the desperate attempt of running the blockade which did not make up at least one half its cargo out of the government stores. Blockade running became a sort of government monopoly, either in the hands of the state governments or in the hands of the government at Richmond. Both what should be taken out and what should be brought in were determined by those who had charge of public affairs.

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The wealth and resources of the North increased and were multiplied, the while. Four million seven hundred thousand acres of the public domain at the West were taken up by new settlers, who moved forward to occupy then, as if in a time of peace. Nearly four thousand miles of railway were built. The value of imports leaped up to a sum which presently almost equalled for the North alone the total value of the imports of the whole country in 1860, the South included. Manufactures flourished as if under a new stimulation. Though it was spending blood like water, the population of the North was replenished; though money was poured out as if drunk up by the very soil of the battle fields, wealth kept pace with the demands made upon it, and more than kept pace.

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One of the most distressing evidences of the straits the South had been brought to was the state of the prisons in which she was forced to keep the thousands of prisoners who fell into the hands of her armies. More than two hundred thousand, first and last, were taken; and only some sixteen thousand of these were paroled upon the field. There were as many southern soldiers in the northern prisons. Not until the war seemed turning towards its end could an exchange of prisoners be arranged. The federal authorities knew their superiority in fighting population and did not care to lose it by returning fighting men to the South. If her soldiers died in southern prisons, they were dying for their country there, General Grant said, as truly as if they lost their lives in battle. Thirty thousand men died in the confederate prisons; as many more in the prisons of the North: the numbers almost exactly balance—in the South, 30,156, out of 196,000 who were prisoners; in the North, 30,152, out of 227,000. But the causes were different. In the northern prisons the bitter chill of winter claimed as many lives as the rigors and privations of prison discipline. In the South there were not prisons, there here not guards, there was not food enough. Men could not be spared from the field to guard the prisons, and many thousands were crowded together under a handful of men. Proper sanitary precautions were in the circumstances impossible. The armies themselves lacked food and went without every comfort, and the prisoners could fare no better,—inevitably fared worse, because they were penned within a narrow space and lacked the free air of the camp. A subtle demoralization touched the government of the Confederacy itself as the war went its desperate course, and those who kept the prisons felt that demoralization with the rest.

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No one could wonder to see even a people such as the southerners had shown themselves to be lose heart at last, acknowledge the bitter fortunes of those last days intolerable, and yield in a sort of despair. It had taken all the vigor and audacity of their government to keep them to the hopeless business as the year 1864 disclosed what it had in store for them. Not a little of the dogged perseverance and undaunted action of those closing months of the struggle had been due to the masterful characteristics of Mr. Jefferson Davis, the President of the Confederacy. He had served a distinguished apprenticeship in arms in the Mexican war, a still more distinguished apprenticeship in affairs in the cabinet and in the Senate of the United States. He had the pride, the spirit of initiative, the capacity in business which qualify men for leadership, and lacked nothing of indomitable will and imperious purpose to make his leadership effective. What he did lack was wisdom in dealing with men, willingness to take the judgment of others in critical matters of business, the instinct which recognizes ability in others and trusts it to the utmost to play its independent part. He too much loved to rule, had too overweening a confidence in himself, and took leave to act as if he understood much better than those did who were in actual command what should be done in the field. He let prejudice and his own wilful judgment dictate to him the removal of Joseph E. Johnston from the command at Atlanta, the only man who could have made Sherman's march to the sea impossible. He sought to control too many things with too feminine a jealousy of any rivalry in authority. But his spirit was the life of the government. His too frequent mistakes were the result as much of the critical perplexities of an impossible task as of weakness of character. He moved direct, undaunted by any peril, and heartened a whole people to hold steadfast to the end.

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The end came with every sign of sheer exhaustion and despair. Many a southern man had gone into that terrible contest against his better judgment, not wishing to see the Union broken, but yielding to his neighbors' views and the challenge of the summons to arms. Such men were a minority, here and there very strong, but nowhere strong enough to make their will prevalent in affairs; and they had very loyally offered their lives and their property for the cause they would rather have seen vindicated in some other way. When those last days came they took heart to acknowledge the inevitable, and to urge peace as a mere means to avoid utter destruction. While they cried to their rulers peace seemed to come almost of itself. The southern armies melted away by wholesale desertion. There was nothing to eat, there was next to nothing to put into the guns themselves; the women and children at home were starving as well as the men in the camps, their only helpers and protectors. It was more than the human spirit could bear. Men turned by the hundreds, by the thousands, by the tens of thousands from the camps to the roads which led homeward. The end had manifestly come. There was no need to stay to see it come. If they stayed at all, how could they leave until it came; and how could the women and children wait? When the surrender came federal rations had to be served out to those who were left to save them from the helpless weakness of starvation.

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And so their land was to be "built up on a new basis," as General Lee said. The South had thrown her life into the scales and lost it. There had been extraordinary devotion and heroism and mastery on both sides,—In the South a devotion and sacrifice hardly to be matched save in some war of religion; armies of the same race and breeding had met and neither had known how to yield; the end could not come until one or the other was overwhelmed; the South had been overwhelmed; and the most terrible war Of modern times was over. Statesmen and patriots might well look about then, and see with a sort of dismay what there was to be reconstructed throughout the whole fabric of the national life. The Union had been saved; it was yet to be rehabilitated.

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Most of the authorities for this chapter are to be found mentioned under the sources at the end of Chapter IV.; but there are a few which should here be added: J. L. M. Curry's The Southern States of the American Union and Civil History of the Government of the Confederate States; J. C. Schwab's Confederate States of America (chiefly a financial history); Frank A. Montgomery's Renziniscences of a Mississippian in Peace and War; J. W. DuBose's Life of William L. Yancey; William Garrott Brown's The Lower South in American History; David Dodge's Domestic Economy of the Confederacy in volume 18 of the Atlantic Monthly; John S. Wise's End of an Era; and various essays scattered through the Publications of the Southern History Society.

END OF VOL. IV

History of the American People

Volume 5: Reunion and Nationalization

Chapter 1:

Reconstruction

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MR. LINCOLN'S death made Mr. Johnson President. The first tasks of peace were to be hardly less difficult than the tasks of war had been; and the party which had triumphed was left without executive leadership at their very beginning. Mr. Johnson was a man who, like Mr. Lincoln himself, had risen from very humble origins to posts of trust and distinction; but his coarse fibre had taken no polish, no refinement in the process. He stopped neither to understand nor to persuade other men, but struck forward with crude, uncompromising force for his object, attempting mastery without wisdom or moderation. Wisdom of no common order was called for in the tasks immediately before him. What effect had the war wrought upon the federal system? What was now the status of the States which had attempted secession and been brought to terms only by two million armed men sent into the field and the pouring out of blood and treasure beyond all reckoning? Were they again States of the Union, or had they forfeited their statehood and become conquered provinces merely, to be dealt with at the will of Congress? If conquered possessions, how and when were they to be made States once more and the old federal circle restored in its integrity? Mr. Lincoln had made up his mind upon these points with characteristic directness and simplicity. So long ago as December, 1863, he had issued a proclamation of amnesty in which he had treated secession as a rebellion of individuals, not of States, and had offered full forgetfulness and the restoration of property and of citizenship to all who should take oath to "support, protect, and defend the constitution of the United States and the union of the States there under," and respect the action of the federal government in the emancipation of the slaves. Some classes of persons he excepted from the amnesty: those who had taken a prominent and official part in secession or who had left the service of the United States for the service of the Confederacy; but he invited those who would take the oath proposed to set up governments once more and make ready to take part as of old in the federal system, though they should number but one tenth of the voters of 1860. The qualified voters of Arkansas, Louisiana, and Tennessee had accepted these terms before the war ended. Mr. Lincoln had fulfilled his promise to them and given full recognition to the new governments they set up, so far as the Executive was concerned, as once more in their places in the Union. He did not stop to discuss the question of the lawyers, whether these States had been all the while in the Union, despite their attempts at secession and their acts of war against the federal government, or had for a time been out of it; and declared that he thought that merely an abstract inquiry, a question practically immaterial. "We all agree that the seceded States, so called, are out of their proper practical relation with the Union," he said, "and that the sole object of the government, civil and military, in regard to those States is to again get them into that proper practical relation. I believe that it is not only possible, but in fact easier, to do this without deciding or even considering whether these States have been out of the Union, than with it. Finding themselves safely at home, it would be utterly immaterial whether they had ever been abroad."

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But Congress had not acquiesced in Mr. Lincoln's policy. Mr. Lincoln had been too much inclined, it seemed to the leaders of the houses, to regard the restoration of the southern States to their "proper practical relation to the Union" as a matter to be settled by the action of the Executive. The constitution mide each house the sole judge of the validity of elections to its membership: Congress was at liberty, should it choose, to exclude all southern members until it should itself be satisfied with the process by which the States they claimed to represent had been re-established upon their old footing; and the temper of the congressional leaders had grown more and more radical as the fortunes of war had turned their doubt into hope, their hope into triumphant confidence. At first they had been puzzled how to read the law of the constitution in so unprecedented a matter; but each victory in arms had seemed to them to make it less necessary that they should read it with subtlety. Success seemed to clear the way for other considerations, of plainer dictate than the law of the constitution. Turn the matter this way or that, it seemed mere weakness to accord the southern States their old place in the Union without exacting of them something more than mere submission. Should their social system be left untouched, their old life and power given back to them to be used as before for the perpetuation of political beliefs and domestic institutions which had in fact lain at the heart of the war? Opinion slowly gathered head to prevent any such course. Something should be demanded of them which should make them like the rest of the Union, not in allegiance merely, but in principle and practice as well.

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Mr. Lincoln had himself made it a condition precedent to his recognition of the re-established liberties and allegiance of those southerners whom he was ready to permit to bring their States into proper practical relation with the Union again that the laws of the rehabilitated governments should "recognize and declare the permanent freedom" of the negroes and provide for their education; no one, North or South, dreamed that slavery was to be set up again. But every man mistook his feeling for principle in that day of heat, and Mr. Lincoln's cool, judicial tone and purpose in affairs was deeply disquieting to all who loved drastic action. The solemn, sweet-tempered sentences with which his second inaugural address had closed seemed themselves of bad omen to high-strung men. "With malice towards none; with charity for all; with firmness in the right, as God gives us to see the right, let us strive on to finish the work we are in; to bind up the nation's wounds; . . . to do all which may achieve and cherish a just and lasting peace among ourselves, and with all nations." In the proclamation in which he had called upon all who were willing to return to their allegiance in the South to reconstruct their governments he had promised that, as President, he would object to no temporary legislation which should deal in exceptional fashion with the negroes "as a laboring, landless, homeless class" for a little while under tutelage, provided only their substantial freedom should be recognized and their ultimate elevation by education provided for. There was in all this entirely too much consideration for the southern people to suit the views of ordinary partisans. An opposition gathered head against Mr. Lincoln which it seemed likely even his tact, his genius for leadership and conciliation, his authority in that day of his final prestige could not overcome.

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Men of many minds and of all morals were arrayed against him: the philanthropist and the reformer, who saw the Rights of Man involved, the statesman who wished to see the ground once for all cleared of every matter of risk and controversy, the politician who was keen to gain the utmost advantage for his party, the vindictive bigot who wished to wreak exemplary vengeance on the slaveholding rebels. To many of these nothing was so exasperating as moderation,—moderation in a day of absolute triumph, when every fruit of conquest they chose to stretch out their hands and pluck was within their easy reach. It was not an air in which to judge calmly. Four years of doubt and fear and struggle had wrought every sentiment, good or bad, to the pitch of ecstasy. A radical course of reconstruction in the South had come to look like the mere path of duty,—of duty not to opinion only but to mankind as well. Men of imagination felt every moment of action dramatic, full of consequence, and grew self-conscious, each as it were with a touch of the emotional actor, in what they did. The extraordinary strain and tension of feeling in the houses of Congress was perceptible to mere lookers on in the galleries. It had been notably manifest when the House of Representatives agreed, on the last day of January, 1865, to an amendment of the constitution formally abolishing slavery in the very terms of the Wilmot proviso, and the celebrated Ordinance of 1787 upon which so much bitter history had turned. The Senate had proposed the amendment, the Thirteenth it was to be,—the first change in the constitution proposed since 1803,—ten months before, on the 8th of April, 1864; but the necessary two-thirds vote had been lacking then in the House and it had been laid aside. When it came a second time to the vote a deathly stillness prevailed in the House while the roll call proceeded, until it became evident that the requisite majority was secured. Then members of the House itself broke through all restraint and joined in the great shout of joy that went up from the packed galleries, and embraced one another, with tears streaming down their cheeks, to see that prayed for end come at last. Men dreamed, as they had dreamed in the Constituent Assembly of France, that they had that day seen a new nation born, a new era ushered in.

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Congress had already abolished slavery in the District of Columbia, prohibited slavery in the Territories, repealed the Fugitive Slave Law, and bestowed freedom upon the negroes who had served in the federal armies. The amendment was to complete the work of emancipation, and make the results of the war once for all safe against reaction. The votes of the southern States were necessary to make up the three-fourths vote of the States required to ratify the amendment. Those which accepted Mr. Lincoln's terms of rehabilitation ratified it without hesitation: no one doubted that a condition precedent to the final closing of the long strife that had rent the Union; and on the 18th of December, 1865, it was proclaimed an integral part of the law of the constitution. But there were men in Congress, true spokesmen of thousands of men out-of-doors, thoughtful and thoughtless, with consciences and without, who meant to go much further. By some means they meant to thrust their hands into southern affairs to control them, to make good the freedom and the privilege of the negroes even at the cost of all privilege to those who had been their masters. To some such a course seemed a mere dictate of humanity: the nation owed it to the negro that he should be supported by the federal power until he was able to make his freedom good for himself, unassisted. To others it seemed but the plain way of prudence in statesmanship. How else could a lasting structure of law be built about the new citizenship of the one-time slave: how else could he be kept safe from the intellectual and even physical domination of the white men who once had owned him? To others it was the course of personal satisfaction: in no other way could they bring upon the spirits of southern men the punishment merited by their rebellion. To others it was the obvious means of party mastery. These last it was who, when Mr. Lincoln was gone, ruled Congress, the masters of party strategy—as clear of their motive as Samuel Adams, as astute to veil it upon occasion: masters always by consistent and aggressive force of purpose.

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The party they spoke for was not one of the historic parties of the Union. It was the child of the slavery contest. It had come into existence, an odd mixture of Whigs, Democrats, Free Soilers, Anti-Nebraska men, to prevent the spread of slavery into the Territories, and had come into power with a programme which spoke, indeed, of other matters, with a tone which was chiefly the tone of the older Whigs, but which carried as its chief, its creative principle that single matter of the restriction of the slave power. It was without record or tradition of ordinary service in times of normal life and growth. Its single task had been war for the preservation of the Union. It could not of a sudden get the temper of that task out of its thoughts; conciliation it had never learned; compromise and accommodation seemed to it bad things of a past age when men were not bold for the right. Mr. Thaddeus Stevens, of Pennsylvania, was the real leader of the House. He had come slowly to his final view of what should be done, acted upon by the times and the confused voices of counsel about him, as every man was in that shifting air, but he had reached conclusions at last which he spoke with callous frankness. In his judgment, he said, the southern States "ought never to be recognized as capable of acting in the Union, or of being recognized as valid states, until the Constitution should have been so amended as to make it what its makers intended, and so as to secure perpetual ascendency to the party of the Union." The perpetual ascendency of his party was, in his programme, to be the guarantee of the safe reconstruction of the southern governments.

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The events of the memorable summer of 1865 had hardened his temper to that view. At first Mr. Johnson had seemed to the radical leaders of Congress a man to their own mind. His origin, his character, his place of leadership among the southern men who had doggedly set themselves against secession, had made him a fit instrument of radical action. He came of plebeian stock; had risen, not by address, but by blunt force of character, from among the humbler whites who owned no slaves, boasted no privilege, had no initiative voice in affairs; and had flung himself on the side of the Union as much out of antagonism to the men who played the parts of leadership in secession as out of principle. It was "a rich man's war," he said, "but a poor man's fight"; and he, for one, would not fight for the behoof of the rich planters who assumed the mastery in such a struggle. A "Democrat" he was still, by cast and nature committed to the elder doctrines of the Jeffersonian creed, which exalted the common man and knew no rank or privilege of class; but a Democrat for the Union. He had been put upon the presidential ticket with Mr. Lincoln because upon every question that touched the war the Republican leaders had wished to keep men of all opinions upon other matters of policy united behind Mr. Lincoln. His short and heavy figure, his rugged, swarthy face, bespoke him a man as strong, as indomitable as Stephen Douglas, for all he lacked Douglas's charm and had no gift of persuasion.

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Mr. Lincoln had trusted him, and he had justified the confidence reposed in him, not indeed by wisdom, but by resolute, consistent, efficient action. When the war came he was one of the senators from Tennessee, and kept his post, ignoring the secession of his State. When his term as senator was ended Tennessee was in the hands of the federal troops, and Mr. Lincoln commissioned him military governor of the State, to bring it again into "proper practical relation to the Union" in accordance with the Executive's plan of reconstruction. Like every man, untouched with greatness, who has stood out against his own people in matters that have been carried the length of civil war, there was a dash of bitterness in Mr. Johnson's attitude and action in affairs. The first words he uttered as President showed with what spirit he meant to use his new power. "The American people," he said, "must be taught to know and understand that treason is a crime.

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It must not be regarded as a mere difference of political opinion. It must not be excused as an unsuccessful rebellion, to be overlooked and forgiven." The Committee on the Conduct of the War, to which Congress had throughout the stress of the fighting intrusted the shaping of its business, called upon him the day following his assumption of the presidency, and took heart to believe after their interview with him that they might count upon such executive action as radicals would relish,—that they were once for all rid of the mild counsels of Mr. Lincoln. "Johnson, we have faith in you," cried Mr. Benjamin Wade, the radical leader of the Senate. "By the gods! there will be no trouble now in running the government."

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But a few weeks changed the whole aspect of affairs. Mr. Johnson retained Mr. Lincoln's cabinet unchanged. More than that, he kept to the plans Mr. Lincoln had made. Perhaps his judgment was cleared by sudden access of responsibility; no doubt his knowledge of the southern people enabled him to see, more clearly even than Mr. Lincoln had seen, the healing and beneficent effects of a plan of reconstruction which should make as little of the antagonism and as much of the community of interest between the sections as possible: for he acted upon experience, Mr. Lincoln only upon the instinct of a natural leader of men. No doubt men whom he trusted gave him moderate counsel and instructed his will. Whatever the forces that ruled him, he proved at once that he meant to take no radical course of his own, but would follow in Mr. Lincoln's footsteps. On the 29th of May he issued his own proclamation of amnesty. Its terms were substantially the terms of Mr. Lincoln's proclamation of 1863. The list of those excluded for the time being was a little extended. Besides persons still prisoners of war, those who had "held the pretended offices of governors of States in insurrection against the United States," graduates of the military and naval academies who had been officers in the confederate service, those who had engaged in the destruction of the commerce of the United States in aid of the Confederacy,—whom Mr. Lincoln had not specifically included in his catalogue of exclusions,—he added, as if to please himself and satisfy his instinct of class, all participants in secession whose taxable property exceeded twenty thousand dollars in value. But even to those thus specifically excepted he promised to extend clemency upon very liberal terms, if they would make personal application for it, dealing with them in as generous a manner as might seem "consistent with the facts of the case and the peace and dignity of the United States."

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It was his plan, as it had been Mr. Lincoln's, to set up new governments in the South by as simple and expeditious a process as possible. He knew as well as any man the practical details of what Mr. Lincoln had meant to do, for he had himself been Mr. Lincoln's agent in putting his plan of reconstruction into execution in Tennessee. Each State was to have a provisional governor, appointed by the President, who should be authorized to summon a constitutional convention, to be chosen under its old laws of suffrage by such of the voters of the State as would take the unqualified oath of submission and allegiance prescribed by the proclamation of amnesty. It had been Mr. Lincoln's wish to include among the voters such freed-men as could read and write and those who had served in the federal armies; Mr. Johnson confined his view to the white men qualified under the laws of their States as they had stood in the spring of 1861. Conventions made up of and selected by those who were willing and were permitted to take the oath offered were to be given full power to recast their state constitutions and set their state governments in order for the final withdrawal of the federal troops and the federal superintendence, provided only that the voters actually enrolled should number at least one tenth of the total number shown upon the rolls of 1861. The persons explicitly excluded from taking the oath and participating in the reconstitution of the southern governments,—those who had been the leading spirits and chief agents of the Confederacy, whether in counsel or in action,—were, of course, the leading men of the South. Almost no one could take the oath of amnesty except men of the rank and file, the men who had not been slaveholders, who had fought in the armies of the Confederacy but who had had no part except the part of mere acquiescence in bringing the war on,—the men of little property and no leading part in affairs from whose ranks Mr. Johnson himself had sprung. His added exclusion of all participants in secession who owned property valued at more than twenty thousand dollars made it the more certain that it should be a reconstruction by the third estate, and not by the old leaders of opinion. He had the greater heart and interest on that account to see the plan succeed.

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He had come into office at the beginning of the long congressional recess. The term of the Congress chosen in 1862 had expired on the 4th of March; the Congress chosen in the autumn of 1864 was not to come together until December. He had eight months before him in which to act without congressional interference. He was urged to call the houses together in extraordinary session and take counsel with them what should be done; but he refused to do so. He wished to act without restraint. He had no more doubt than Mr. Lincoln had had that the process of reconstruction, so far as it concerned the reorganization of the southern governments, was the function and the duty of the Executive, whose power of pardon covered every offence committed against the Union upon which Congress had not passed sentence of impeachment. It rested with Congress, he knew, to determine for itself whether it would receive the senators and representatives chosen under the governments which the President should authorize the southern conventions to set up; but the erection and recognition of those governments he conceived to be his own unquestionable constitutional prerogative. He filled the year, therefore, to the utmost with action and the rehabilitation of States. By the autumn every State of the one-time Confederacy had acted under his proclamation, had set up a new government, had formally agreed to the emancipation of the negroes, and had chosen senators and representatives ready to take their seats the moment Congress should admit them. Eleven of them had in due form adopted the Thirteenth Amendment, and their votes had been counted in its ratification.

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But other things had happened which had touched Congress quite as nearly as these processes of reconstruction, and the houses came together in December in no temper either to accept Mr. Johnson's leadership or to admit the southern members who had come to Washington under his patronage. Critical matters touching the negroes had put opinion in the North in a mood to insist on radical measures of legislation in behalf of the helpless multitudes whom the war had set free. Had there been no question what should be done with the negroes, all might have gone smoothly enough, whether the leaders of Congress and of opinion liked the re-admission of the southerners to their place and privilege in the general government or not. But there was much more to be done, as it seemed to the radicals who now stood at the front of counsel, than merely to determine the processes by which the governments of the southern States were to be formally reconstituted and made safe within the Union: and it was no doubt necessary to do what was to be done before admitting southern men to Congress, where their presence would reduce the Republican majorities from absolute mastery to mere preponderence. They were but "whitewashed rebels," at best, and in nothing showed their unchanged temper more clearly than in their treatment of the freedmen. That, in the view of the radicals, was the crux of the whole matter; and they had the pity and the humane feeling of the whole country on their side.

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They did not deem the southerners safe friends of the freed slaves. They had not noted how quiet, how unexcited, how faithful and steady at their accustomed tasks, how devoted in the service of their masters the great mass of the negro people had remained amidst the very storm and upheaval of war; they had noted only how thousands had crowded into their camps as the armies advanced and plantations were laid waste, homes emptied of their inmates; and how every federal commander had had to lead in his train as he moved a dusky host of pitiful refugees. It was a mere act of imperative mercy to care in some sort for the helpless creatures, to give them food, if nothing else, out of the army's stores; and yet to feed them was but to increase their numbers, as the news of bread without work spread through the country-sides. When the fighting neared its end, and it was likely that the whole South would be in the hands of the federal commanders through a long season of unsettled affairs, it became obviously necessary that, for a time at least, Congress should take the negroes under the direct supervision and care of the government. On the 3d of March, 1865, therefore, while Mr. Lincoln still lived, an Act had been passed which created in the War Department a "Bureau of Refugees, Freedmen, and Abandoned Lands," whose powers were most elastic and paternal. It was in every way to succor the negroes: to supply their physical needs when necessary, to act as their representative and guardian in finding employment and making labor contracts, to settle labor disputes and act as the next friend of negro litigants in all trials and suits at law, to lease to them tracts of abandoned land temporarily in the hands of the government because of the removal or disappearance or technical outlawry of their white owners,—in all things to supply them with privilege and protection.

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It was such aid and providential succor the negroes had ignorantly looked for as the news and vision of emancipation spread amongst them with the progress of the war. They had dreamed that the blue-coated armies which stormed slowly southward were bringing them, not freedom only, but largess of fortune as well; and now their dream seemed fulfilled. The government would find land for them, would feed them and give them clothes. It would find work for them, but it did not seem to matter whether work was found or not: they would be taken care of. They had the easy faith, the simplicity, the idle hopes, the inexperience of children. Their masterless, homeless freedom made them the more pitiable, the more dependent, because under slavery they had been shielded, the weak and incompetent with the strong and capable; had never learned independence or the rough buffets of freedom.

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The southern legislatures which Mr. Johnson authorized set up saw the need for action no less than Congress did. It was a menace to society itself that the negroes should thus of a sudden be set free and left without tutelage or restraint. Some stayed very quietly by their old masters and gave no trouble; but most yielded, as was to have been expected, to the novel impulse and excitement of freedom and made their way straight to the camps and cities, where the blue-coated soldiers were, and the agents of the Freedmen's Bureau. The country filled with vagrants, looking for pleasure and gratuitous fortune. Idleness bred want, as always, and the vagrants turned thieves or importunate beggars. The tasks of ordinary labor stood untouched; the idlers grew insolent, dangerous; nights went anxiously by, for fear of riot and incendiary fire. It was imperatively necessary that something should be done, if only to bring order again and make the streets of the towns and the highways of the country-sides safe to those who went about their tasks. The southern legislatures, therefore, promptly undertook remedies of their own-such remedies as English legislators had been familiar with time out of mind.

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The vagrants, it was enacted, should be bound out to compulsory labor; and all who would not work must be treated as vagrants. Written contracts of labor were required, and current rates of wages were prescribed. Those who did not enter into formal contracts for regular employment were obliged to obtain licenses for their trades and occupations from the magistrates or the police authorities of their places of labor, under the penalty of falling under the law of vagrancy. Minor negroes were to be put under masters by articles of apprenticeship. Negroes were forbidden, upon pain of arrest by a vigilant patrol, to be abroad after the ringing of the curfew at nine o'clock, without written permission from their employers. Fines were ordered for a numerous list of the more annoying minor offences likely to be committed by the freedmen, and it was directed that those who could not pay the fines should be hired out to labor by judicial process. There was no concert or uniformity between State and State in the measures adopted: some were more harsh and radical than others. Each State acted according to the apparent exigencies and circumstances of its own people. Where the negroes mustered in largest numbers, as in South Carolina, where they outnumbered the whites, restriction was, of course, pushed farthest and the most thorough-going legal tutelage for the freedmen attempted. Where their numbers were more manageable, where conditions were more favorable, their freedom of movement and of occupation was less interfered with.

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There was nothing unprecedented in such legislation, even where it went farthest. The greater part of it was paralleled by statutes of labor and vagrancy still to be found on the statute books of several of the northern States. But it was impossible it should stand in the same light. The labor and vagrancy laws of Maine, Rhode Island, and Connecticut, which they most resembled, were uttered against a few tramps and beggars, here and there a runaway servant or apprentice, an occasional breach of duties regularly contracted for; while these new laws of the South were uttered against an entire race, but just now emancipated. Whatever their justification, it was inevitable that they should shock the sentiment of the North and make new and bitter enemies for the South in Congress. It was no ordinary time of action, when matters could be judged coolly and on their merits. For the leaders of Congress it was unpalatable enough that the southern States should have legislatures at all, upon a plan made and executed without conference with them; that those legislatures should thus undo the work of emancipation seemed a thing intolerable. And the new legislation seemed to them nothing less than that. It seemed to them merely an effort to substitute compulsory contracts of service and fixed rates of wages for the older rights of control and duties of support which custom had vouchsafed and assigned masters of slaves—a sort of involuntary servitude by judicial process and under the forms of contract. They did not stop to consider the pressing necessity or the extraordinary circumstances which justified such legislation. There were many theories held among them as to the legal powers and remaining rights of the southern States, but their purpose of mastery in the readjustment of southern affairs was not materially affected by their differing theories. They in effect regarded the southern States as conquered provinces, and looked upon emancipation as the main fruit of conquest. To make that emancipation good was only to secure the conquest itself. The negro had got a veritable apotheosis in the minds of northern men by the processes of the war. Those who had sent their sons to the field of battle to die in order that he might be free could but regard him as the innocent victim of circumstances, a creature who needed only liberty to make him a man; could but regard any further attempt on the part of his one-time masters to restrain him as mere vindictive defiance. They did not look into the facts: they let their sentiment and their sense of power dictate their thought and purpose.

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Neither was it any part of the case, so far as they and their leaders in Congress were concerned, that the restricive legislation which they so bitterly resented had been practically without effect, because virtually set aside by the action of the Freedmen's Bureau. Everywhere throughout the South agents of the Bureau practically made the law which should in fact govern the negro and determine his relation to his employer. It was a Bureau of the War Department; its head was a general of the army; and its agents were for the most part army officers. In many instances they were men of fine purpose and unimpeachable integrity, manly and anxious to do what was right and just to all concerned; but in many other instances they were men of petty temper, fond of using arbitrary power very masterfully, and glad upon occasion to use it for the utter humiliation of the southern white men with whom they dealt. Sometimes they were actually corrupt, and apt at every practice which promised them either added authority or private gain. Their powers, under the Act of Congress, were in effect unlimited. They interfered with the processes of the courts; constituted themselves judges of every matter, whether of law or policy, that affected the negroes; made contracts for them and released them from their obligations at will prescribed the services they should render and the wages they should receive; ignored and set at naught every provision of state law which touched the action or the privileges of the freedmen; and, for good or ill, to fulfil their duty or to please themselves, were masters of the situation.

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But that was what the congressional leaders had planned and expected. It did not lessen their irritation that the southern legislators had been in large part unsuccessful in what they had attempted to do. When at last the long recess was over, therefore, and the houses once more assembled (December 4, 1865), it at once became evident that they had come together in a mood to insist upon their own way of settling southern affairs. The names of all the States that had seceded were omitted in the roll call. As soon as possible after the organization of the House, a joint committee of fifteen, consisting of nine representatives and six senators, was set up to take charge of the business of the houses in the matter of reconstruction. It was commissioned to make thorough inquiry into the condition of affairs at the South and to advise Congress what action it should take with regard to the readmission of the southern States to representation. There was no need that it should be in haste to report. The houses had already in effect adopted the view of Mr. Thaddeus Stevens: that the secession of the southern States had suspended all federal law, whether of the constitution or of statute, so far as they were concerned; that only the law-making and war-making branch of the federal government, the Congress itself, could authoritatively declare that law in force again; and that it might and should refuse to do so until itself satisfied of the absolute submission and unqualified obedience of the rebellious communities. There was every reason, if the President meant to stand in its way, why Congress should keep for the present its omnipotent party majorities. Each house, as it stood, had a Republican majority large enough, and compact enough, if it came to a struggle with the President, to override any veto he might venture to interpose to check its action. Should the southern States be readmitted to representation as they stood, under the President's reconstruction, they would quite certainly send Democratic members to swell the ranks of the party which had, in its convention of 1864, declared the war a failure, and would rob the war party of its predominance. For they must be accorded an increased representation. The slaves, now that they were free, must all be counted in apportioning representation; and yet the whites only would vote. It was that view of the future of party politics that had led Mr. Sumner to declare, even before the actual struggle of the war was over, that "the cause of human rights and of the Union needed the ballots as well as the muskets of the colored men"; and the leaders of the houses had no mind to yield their complete power until they had won their final ascendency.

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In February, 1866, their Committee on Reconstruction safely in the saddle, they found themselves in direct conflict with the President, and the fight for which they had made ready begun. The Act of March, 1865, which had established the Freedmen's Bureau, had limited its operation to one year. On the 6th of February, 1866, a bill passed the houses continuing it indefinitely, and at the same time largely increasing its powers. It made any attempt to obstruct, interfere with, or abridge the civil rights and immunities of the freedmen a penal offence, to be adjudged and punished by federal military tribunals. The President vetoed it. He declared that he withheld his assent both because the measure was calculated to increase the restlessness and uneasiness of the negroes and delay their settlement to a normal way of life, and because it had been passed by a Congress in which the southern States were not represented; and so joined issue directly with the men who had set the houses in a way of mastery. An attempt to pass the bill over his veto failed. The full party vote was not yet at the command of the radicals; some still held off from an open and final breach with the President.

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But not for long. The President was in a mood as bitter and defiant as that of the extremest radical of the congressional majority. By sheer rashness and intemperance he forced the consolidation of the majority against him. In a public speech uttered on the 22d of February, an anniversary of hope and good omen, he spoke of the majority in unmeasured terms of denunciation, and of its leaders by name, as men who themselves entertained some covert purpose of disloyalty to the government, planning to make it a government, not federal, but consolidated and unlimited in power,—it might be even encouraging some criminal deed against himself such as had once already removed an obstacle from the path of their ambition. Accommodation between himself and the houses was once for all impossible. It was as if he had openly declared war upon them; and their temper hardened to crush him. Though the effort to pass the bill for the continuation of the Freedmen's Bureau had failed in the Senate, the houses had in their very hour of failure sent to the President and published to the country a concurrent resolution in which they announced that no senator or representative would be admitted from any State held to have been in insurrection until Congress had upon its own terms and initiative declared it entitled to representation. Having heard his bitter speech of the 22d, they moved forward to execute the programme of their Committee on Reconstruction with a new spirit of mastery.

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In March they sent to the President a "Civil Rights" bill which declared "all persons born in the United States, and not subject to any foreign power," citizens of the United States; denounced severe penalties against interference with the civil rights of any class of citizens; and gave to officers of the United States the right to prosecute, to the courts of the United States the exclusive right to try, all such offences,—meaning thus to put the negroes upon a footing of civil equality with the whites in the South. The President vetoed the bill, as both unwise and in plain excess of the constitutional powers of Congress. In April, the houses passed it over his veto. The same month their Committee, as if less confident of their constitutional ground than of their parliamentary supremacy, submitted the draft of a Fourteenth Amendment to the constitution which should embody the principles of the Act in a form which would give them unalterable validity. It conferred citizenship in the terms of the bill the President had rejected. In June Congress adopted the Amendment, and it went to the States, with the understanding that no southern State which did not accept it should be readmitted to representation. Tennessee promptly adopted it, and in July was formally reinstated in her "former proper practical relation to the Union" by the admission of her senators and representatives to Congress. Her case stood apart from the rest. Ever since Mr. Lincoln's proclamation of 1863 was put into effect she had been in process of reorganization. She had gone doubting and divided into the Confederacy, more than half her people, it might be, still staunchly minded to stand by the Union. Her "Union men" had controlled the process of reconstruction; and were heeded without serious difficulty when they knocked for admission into the houses. The other States, being as yet in other hands, were obliged to wait.

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The troubled year went uneasily upon every hand. As the spring came on, and all the country saw how it had come to an open breach between the President and Congress, movements began on the Canadian frontier which discovered a new disturbing element in international politics. While the war lasted New York had become the seat of the offices of a great society of Irishmen whose purpose was revolution over sea and that liberation of Ireland which Irishmen had ever prayed for. Across the sea, in Ireland, it was an association of peasants, not of politicians: it held a rank and file, not of agitators, but of plain, unsophisticated, earnest men on its rolls, men who might be taken to stand for the mass of Irish Catholics. In America it grew strong and drank of the spirit of war from the thousands of Irish-American soldiers who served as enthusiastically in the execution of its plans as in the battles for the preservation of the Union. Servant girls, cab drivers, porters, laborers on the railways filled its treasury out of their scant earnings. "Fenian," the name it bore, was said to have been the name of the ancient Celtic militia of the emerald isle from which no true Irishman ever really tore his heart entirely away. Every man who looked below the surface of affairs believed that some day the secret of this great organization would spring to light in some burst of revolution which would shake Ireland with the rising of a whole people; and the close of the war for the Union seemed the time it had sought for a release of its power. Its first sally was not in Ireland, but in America,—across the northern border, against the English empire in Canada. It proved a thing to smile at after it was over: a few hundred men attempting a set invasion; a fort here and there set upon by a handful of reckless adventurers; quick defeat, repulse, dispersion. It was no slight cause of irritation to Canada, none the less, and to the English government over sea that these foolhardy foes should come from the territory of a friendly power to attempt their purpose. The government at Washington seemed singularly indifferent; did little that was effective to check the criminal business; was apparently helpless against a handful of outlaws. A touch of tragedy was added to the perplexities of politics.

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There was tragedy enough in the domestic situation; but it was a moral tragedy, not the tragedy of bloody raids upon a peaceful border. It was impossible to come to an understanding with Mr. Johnson. A more moderate, more approachable, more sagacious, less headstrong man might by conference have hit upon some plan by which his differences with the leaders In Congress would have been accommodated and at least a modus vivendi devised. But to differ with Mr. Johnson was to make an enemy of him, and Congress had suspected him an opponent rather than a friend from the first and was disinclined to seek accommodation. His intemperate fashion of speech exaggerated his views in the mere statement; he seemed a violent partisan when he wished merely to enforce a conviction and make a resolute purpose plain. Mr. Sumner came away from an interview with him convinced that he had spoken with a man who heartily despised the entire North, felt a genuine contempt for its sentiments, and meant to serve the South as entirely, as openly, as illegally as Mr. Jefferson Davis himself. What was quite as bad, the South itself got wind of his partisan temper in its behalf, nursed the false hope that it would be shielded by his power, and deepened all the mischief by acting on the hope.

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It was no time at which to defy northern opinion and strengthen the hands of Congress by resistance. The autumn of the year was to bring another congressional election, and the leaders of the Republican majority in the houses would go to the country with a much better chance of winning than the President could possibly count upon in the equivocal position into which he had got himself. In July the houses passed, over the President's veto, a bill which continued the Freed men's Bureau for two years; provided for the sale of public lands to the negroes on easy terms; appropriated the property of the confederate government to their education; and placed their civil rights under direct military protection. On the 18th of June the Committee on Reconstruction had made formal report of its views upon the situation. It was the policy of Congress enforced by reasons-reasons which, it might be hoped, would fortify the minds of members of Congress and please the voters of the North in the coming contest. It declared that the governments of the States recently in secession were practically suspended, by reason both of the irregular character of the new governments which had been set up and of the reluctant acquiescence of the southern people in the results of the war; and that it was essential to the peace and sound policy of the Union that they should not be reinstated in their former privileges by Congress until they should have given substantial pledges, such pledges as Congress should demand, of their entire loyalty and submission. With that appeal the houses went to the country.

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The friends of the President and of a moderate course in affairs, both Democrats and Republicans, came together in goodly numbers in convention, led by men whom the country knew and had reason to trust, and made a demonstration in favor of the policy which had been Mr. Lincoln's and which should be that of every man who loved peace and sought accommodation and their action did not fail to make a considerable impression everywhere upon those who could put passion aside. But Mr. Johnson would not let quiet counsel alone. Incapable of prudence, scornful of soft words, a bitter hater, cast by nature for the rough contacts of personal conflict and debate, he spoke to the country himself. At mid-summer he made a journey to Chicago, and at almost every stopping place where the people crowded about his car he uttered, with that air of passion which always went with what he said, invectives against Congress so intemperate, so coarse, so hot with personal feeling that those who heard him looked upon him as almost a man distraught, thrown from his balance. He, not the leaders of Congress, seemed the radical, the apostle of passion; and his passion, men could say, was against the Union, not for it. He had set himself, his opponents declared, not to bring peace and restore the government to its integrity, but to perpetuate discord and cheat the party of the Union of its legitimate power.

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Two days after Congress adjourned (July 30, 1866) a New Orleans mob broke up an irregular "constitutional convention" of negroes and their partisans with violence and bloodshed. In October the southern States, as if taking their cue from the President, not from Congress, began, one after the other, to reject the Fourteenth Amendment; and every impression that had been formed of reaction and recalcitrancy at the South was confirmed. The result of the elections was a foregone conclusion. A Republican majority was sent to the House as overwhelming as that which dominated the Congress about to expire; the Republican numbers in the Senate were maintained. The houses came together again in December heartened, resolute, triumphant, ready to override the President with a policy of Thorough which should put the fortunes of the South entirely at their disposal.

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It was provided, by special Act, that the new Congress, just chosen, should convene, not in the following December, but on the 4th of March, 1867, in order that there might be no long vacation in which the President would be left free to exercise his independent authority. Before the 4th of March came a Reconstruction Act had passed through the slow fires of debate and become law (March 2d) which embodied in their unmarred integrity the radical plans of the joint committee of fifteen. It provided that the States of the Confederacy, with the exception of Tennessee, which had already been permitted to adopt the Fourteenth Amendment and resume its place in Congress, should be grouped for purposes of government in five military districts, under the command of five general officers of the army to be appointed by the President. These military governors were to control and direct the processes of reconstruction. A temporary clause of the proposed Fourteenth Amendment, which the southern States had rejected, excluded from office, whether under the States or under the federal government, at the pleasure of Congress, all who had at any time or in any capacity, civil or military, taken oath to support the constitution of the United States and afterwards "engaged in insurrection or rebellion" against it, "or given aid or comfort to its enemies." The military governors under the Act were instructed to enroll in each State, under oath, only such citizens of voting age and of one year's residence within the State as they should deem qualified in accordance with the spirit of this prospective Amendment, the negroes, of course, included. They were to reject as voters all whom the proposed Amendment disqualified for office. They were then to order and hold in each State an election for delegates to a constitutional convention, in which none but the voters on their rolls should be allowed either to vote or to stand for election. They were to direct the conventions thus chosen to frame constitutions by which the elective suffrage should be extended without distinction to all classes of citizens included within the terms of the enrolment already made; and were to submit the constitutions thus framed to the same voters for ratification. When adopted by the voters, the constitutions which this plan of Thorough had brought into existence were to be sent to Congress, through the President, for final approval. Each State, it was agreed, whose constitution Congress should approve was to be readmitted to representation so soon as its legislature had ratified the Fourteenth Amendment. Meanwhile, its government was to be deemed "provisional only, and in all respects subject to the paramount authority of the United States, at any time to abolish, control, or supersede it." The houses had already ordered, by resolution, at their previous session, that the troops should be kept at their stations in the South until Congress should direct their recall. They now invested General Grant, the General of the Army, with powers which made him, and the army itself, practically independent of the President. He was given sole authority to order the removal or suspension of an officer, and military commanders were explicitly excused from accepting the opinion of any civil official of the government in the, construction of their powers.

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Many motives had governed the members of Congress in the adoption of this extraordinary programme. Some had allowed themselves to be driven to radical courses by sheer bitter feeling against the President, who insisted so intemperately upon a course more simple, more moderate, more indulgent to the South; some could reason in statesmanlike fashion enough upon the premises of action, but could propose no alternative plan which seemed practicable or likely to command the support of the rank and file of their party; others were party men, without pretence or refinement of view, their whole temper hardened and embittered by the war and all its unpalatable consequences, and were willing to follow those who were frankly bent upon bringing the South to utter humiliation and penitent submission. Their leaders wished not only to give the negroes political privilege but also to put the white men of the South, for the nonce at any rate, under the negroes' heels. Every black voter, they cynically predicted, would once for all become under such tutelage a Republican voter, and the party which had conquered the South would rule it. Men who looked more scrupulously to their motives saw no way to withstand what they disapproved; were themselves convinced that something must be done to protect the helpless blacks; feared as much as the radicals themselves to see the real leaders of the South again in control; and, with misgivings not a few, lent their aid to the revolutionary programme.

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The same months that saw the drastic Act debated and adopted witnessed a tragic revolution at the further south in which the government at Washington also played its part. While the war for the Union was being fought, the emperor of France, looking to see that war rack the United States to pieces, had sent troops into Mexico and had set up a kingdom there for the Arch-duke Maximilian of Austria. He had got his opportunity in a way which had seemed for a time to make other great powers of Europe his partners and allies in the conquest. The closing days of the year 1857 had brought political upheaval and sharp civil war upon Mexico, which had resulted within two years in making Juarez, a Zapoteca Indian of singular capacity, master of the country. Juarez had not only confiscated the property of the church, but had also suspended by decree the payment of foreign debts, the debt of the Mexican nation itself included; and that decree had led, late in 1861, to a demonstration in force upon his coasts by the three nations, England, France, and Spain, who were Mexico's principal creditors. England and Spain would consent to do no more than was necessary to enforce the just claims of their citizens, and Napoleon had agreed to be governed by the terms of cooperation which they prescribed: the seizure, it might be, of a custom house or two, but no serious stroke against the sovereignty of the country. From the first, nevertheless, he had meant to disregard his engagements in the matter. He had long dreamed of conquest there in the south, and saw the time come now, as he thought, when he need fear no enforcement of the Monroe doctrine against him by the distracted government at the north. In despite of protests, he sent an army of conquest to Mexico, and, postponing open possession by France, put the Archduke Maximilian in the usurped place of authority, keeping his armies there to secure his throne and the predominance of France. The government at Washington protested but could do nothing more. The usurped throne stood, the armies of France remained, until the war for the Union closed and the hands of the President were free. Then the protests from Washington took another tone and meaning, which Louis Napoleon was not self-deceived enough to suppose he could ignore. American troops began to be massed in the neighborhood of the Mexican frontier, near the familiar ground of General Taylor's movements twenty years before; and the French government saw that it must yield. The French troops were withdrawn, and Maximilian was left to shape his fortunes alone. He was a man of high spirit, not apt to yield upon any point of honor, mindful of what he conceived to be his duty though he mistook it: a man of character, resolved to stand by his throne even though the French withdrew. The resolution cost him his life. Though he gathered a party about him, they were beaten by the partisans of Juarez. He was court-martialled, condemned, and shot. The melodramatic play which the histrionic genius of Napoleon had planned turned out a genuine tragedy, and a noble gentleman made a pitiful ending.

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The same month that witnessed the withdrawal of the troops of France from Mexico saw final arrangements made for the withdrawal of Russia from the Pacific coast of North America. On the 30th of March, 1867, a treaty was agreed upon between Mr. Seward and the Russian minister at Washington for the sale of Alaska to the United States for the sum of seven million two hundred thousand dollars in gold. In May the treaty was ratified; and in the following October formal transfer of the great territory was effected. Mr. Monroe had checked the movement of Russian power southward upon the Pacific coast by his message of 1823, and in the forty odd years which had elapsed since that notable announcement of the supremacy of the United States in the western hemisphere the government at St. Petersburg had grown very indifferent to the retention of the bleak fragment of America left in its hands-so far away, so difficult, it might be, of defence. Informal communications in regard to its sale had passed between the two governments so long ago as 1859. Russia was anxious to sell; and the final purchase of 1867 was easily arranged for. There was a certain dramatic consistency in the association of the purchase of Alaska with the forced "withdrawal" of the French from Mexico. They stood together as logical consequences of the Monroe doctrine, whose avowed object had been to keep the American continents free from the control of European monarchies.

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The deep effects wrought by Mr. Stevens's policy of Thorough in the southern States worked themselves out more slowly than the tragedy in Mexico, but with no less revolutionary force. Its operation brought on as profound a social upheaval as its most extreme advocates could have desired. The natural leaders of the South either would not take the oath prescribed or were excluded from the right to enroll themselves as voters by the very terms of the Reconstruction Act. The negroes were the chief voters. The conventions which they chose and the governments which those conventions set up were constituted to secure them power. In Virginia, Mississippi, and Texas, after the conventions had acted, the white voters rallied strong enough at the polls, as it turned out, to defeat the constitutions they had framed when they were submitted for ratification; but they were only kept so much the longer under military government, and were obliged to accept them at last. In Georgia the new constitution was adopted; but the statutes of the reconstituted State debarred negroes from holding office, and Congress would not admit her to representation so long as those statutes stood unrepealed. In the Carolinas, in Florida, in Alabama, Arkansas, and Louisiana nothing stayed the execution of the congressional plan, and by midsummer, 1868, Congress was ready to readmit those States to representation. But South Carolina, Louisiana, and Florida were utterly given over in the process to the government of adventurers.

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Negroes constituted the majority of their electorates; but political power gave them no advantage of their own. Adventurers swarmed out of the North to cozen, beguile, and use them. These men, mere "carpet baggers" for the most part, who brought nothing with them, and had nothing to bring, but a change of clothing and their wits, became the new masters of the blacks. They gained the confidence of the negroes, obtained for themselves the more lucrative offices, and lived upon the public treasury, public contracts, and their easy control of affairs. For the negroes there was nothing but occasional allotments of abandoned or forfeited land, the pay of petty offices, a per diem allowance as members of the conventions and the state legislatures which their new masters made business for, or the wages of servants in the various offices of administration. Their ignorance and credulity made them easy dupes. A petty favor, a slender stipend, a trifling perquisite, a bit of poor land, a piece of money satisfied or silenced them. It was enough, for the rest, to play upon their passions. They were easily taught to hate the men who had once held them in slavery, and to follow blindly the political party which had brought on the war of their emancipation.

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There were soon lands enough and to spare out of which to make small gifts to them without sacrifice of gain on the part of their new masters. In Mississippi, before the work of the carpet baggers was done, six hundred and forty thousand acres of land had been forfeited for taxes, twenty percent of the total acreage of the State. The state tax levy for 1871 was four times as great as the levy for 1869 had been; that for 1873 eight times as great; that for 1874 fourteen times. The impoverished planters could not carry the intolerable burden of taxes, and gave their lands up to be sold by the sheriff. There were few who could buy. The lands lay waste and neglected or were parcelled out at nominal rates among the negroes. In South Carolina the taxes of 1871 aggregated $2,000,000 as against a total of $400,000 in 1860, though the taxable values of the State were but $184,000,000 in 1871 and had been $490,000,000 in 1860. There were soon lands to be had for the asking wherever the tax gatherer of the new governments had pressed his claims. The assessed valuation of property in the city of New Orleans sank, during the eight years of carpet-bag rule, from $146,718,790 to $88,613,930. Four years and a half of "reconstruction" cost Louisiana $106,020,337. The demoralization of affairs in Louisiana had begun in 1862, when General Butler took possession of the city of New Orleans. The rich spoils of the place had proved too much for the principles of the men intrusted with the management of her affairs in times when law was silent; and the political adventurers who came out of the North to take charge of the new government set up under Mr. Stevens's plan of reconstruction found the work they had come to do already begun.

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Taxes, of course, did not suffice. Enormous debts were piled up to satisfy the adventurers. The cases of Louisiana and South Carolina were no doubt the worst, but other States suffered in proportion to the opportunities they afforded for safe depredation. In 1868 the debt of South Carolina had been $5,000,000; in 1872 it was nearly $30,000,000. The debt of Louisiana in 1868 had been between six and seven millions; in 1872 it was $50,000,000. Where the new rulers acted with less assurance and immunity or with smaller resources at hand, debts grew more slowly, but the methods of spoliation were everywhere much the same; and with the rise of debts went always the disappearance of all assets wherewith to pay them. Treasuries were swept clean. Immense grants were made in aid of public works which were never completed, sometimes not even begun. Railways were subsidized, and the subsidies, by one device or another, converted into outright gifts, which went into the pockets of those who had procured them, not into the building or equipment of the road. A vast burden of debt was piled up for coming generations to carry; the present generation was much too poor to pay anything.

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The real figures of the ruin wrought no man could get at. It was not to be expressed in state taxes or state debts. The increase in the expenditure and indebtedness of counties and towns, of school districts and cities, represented an aggregate greater even than that of the ruinous sums which had drained the treasuries and mortgaged the resources of the governments of the States; and men saw with their own eyes what was going on at their own doors. What was afoot at the capitals of their States they only read of in the newspapers, or heard retailed in the gossip of the street, but the affairs of their own villages and country-sides they saw corrupted, mismanaged, made base use of under their very eyes. There the negroes themselves were the office holders, men who could not so much as write their names and who knew none of the uses of authority except its insolence. It was there that the policy of the congressional leaders wrought its perfect work of fear, demoralization, disgust, and social revolution.

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No one who thought justly or tolerantly could think that this veritable overthrow of civilization in the South had been foreseen or desired by the men who had followed Mr. Stevens and Mr. Wade and Mr. Morton in their policy of rule or ruin. That handful of leaders it was, however, hard to acquit of the charge of knowing and intending the ruinous consequences of what they had planned. They would take counsel of moderation neither from northern men nor from southern. They were proof against both fact and reason in their determination to "put the white South under the heel of the black South." They did not know the region with which they were dealing. Northern men who did know it tried to inform them of its character and of the danger and folly of what they were undertaking; but they refused to be informed, did not care to know, were in any case fixed upon the accomplishment of a single object. Their colleagues, their followers, kept, many of them, a cooler mind, a more prudent way of thought, but could not withstand them. They, too, were ignorant of the South. They saw but a little way into the future, had no means of calculating what the effects of these drastic measures would be upon the life and action of the South, and lacked even the knowledge of mere human nature which might have served them instead of an acquaintance with the actual men they were dealing with. They had not foreseen that to give the suffrage to the negroes and withhold it from the more capable white men would bestow political power, not upon the negroes, but upon white adventurers, as much the enemies of the one race as of the other. In that day of passion, indeed, they had not stopped to speculate what the effects would be. Their object had been to give the negro political power in order that he might defend his own rights, as voters everywhere else might defend theirs. They had not recked of consequences; for a little while they had not cared what they might be. They had prepared the way for the ruin of the South, but they had hardly planned to ruin it.

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News of what was going on in the South was not slow to make its way to the ears of the country at large; but the editors of northern newspapers at first refused to credit what they heard. Men dismissed the reports with an easy laugh, as simply the South's cry of exasperation that the negro should have been given the ballot and the power to rule. But incredulity grew more and more difficult; the accounts of what was going on grew more and more circumstantial; proof came close upon the heels of rumor; and opinion began to veer unsteadily. It shifted not only because of the disquieting news that came from the South, but also because of the desperate strain the government itself was put to at Washington by reason of the open breach and warfare between the President and Congress. The masterful men who led the congressional majority had not contented themselves with putting such laws as they chose upon the statute books despite the President's vetoes; they had gone much further and taken steps to make the President a mere figure-head even in administration, and put themselves in virtual control of the executive personnel of the government. Along with the Reconstruction Act of 1867, which placed the governments of the southern States in their hands, they had forced through, over the President's veto, a Tenure of Office Act which deprived the President of the power of removal from office except by the advice and with the consent of the Senate. It gave even to cabinet officers a fixed tenure of four years. They could be dismissed within the four years of the presidential term only by the consent of the Senate. Here was a deliberate reversal of the constitutional practice of more than two generations. The debates of the first Congress under the constitution, the views of the statesmen who had framed the law of the government, the opinions of lawyers, the unbroken practice of sixteen presidents had been thought to establish beyond question the right of the chief magistrate to remove federal administrative officials at his pleasure. Congress, it seemed, was ready to override law and precedent alike to make good its mastery.

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Mr. Johnson was not the man to decline such a challenge. After fighting the policy of Congress in matters purely legislative with caustic vetoes and bitter condemnation he was not likely to submit to have his very powers of administration stripped away without resistance carried to the utmost bounds. He had kept Mr. Lincoln's cabinet; but he had not relished the attitude of one or two of its members towards him. It had been hard enough for Mr. Lincoln, even, with his shrewd and kindly insight into the real nature of the man and his love for the sheer force and audacity with which he administered his critical office in days almost of revolution, to endure the wilful arrogance of Edwin M. Stanton, the Secretary of War; it was quite impossible for Mr. Johnson to endure it. It was something more than wilfulness that Mr. Stanton showed in his relations with Mr. Johnson. He became openly a partisan of the radical leaders in Congress, and set himself to defeat the President at his own council table. He administered the affairs of his Department as if he considered it an independent branch of the government; carried out the instructions of the President with regard to the South in a way to discredit as much as possible the policy which they embodied; and seemed bent upon maintaining the Department of War as a sort of counterpoise to the presidency itself until a man acceptable to the Republican majority in the houses should come to the head of the government. Mr. Johnson had wished from the first to be rid of him, but had wished also to preserve unbroken the tradition of policy handed on to him from Mr. Lincoln, and had hesitated to ask for his resignation. He determined now to make Mr. Stanton's case a case for the test of his prerogative and of the Tenure of Office Act which sought to curtail it. In August (1867), during the congressional recess, he demanded Mr. Stanton's resignation. Mr. Stanton refused to resign, and the President suspended him from office, as the terms of the Act itself permitted, putting General Grant in his place. When Congress reassembled in December the Senate refused to sanction the removal, and Mr. Stanton resigned his office. The President once again issued an order for his removal, and Mr. Stanton again refused to quit his office, appealing to the House for protection. On February 24, 1868, the House voted to impeach the President for high crimes and misdemeanors.

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His only offences were that he had added to his vetoes unmeasured abuse of the houses and their leaders and that he had disregarded an Act of Congress in his removal of Mr. Stanton; but the impeachment had been resolved upon as a political, not as a judicial, process of removal, in passion, not in cool judgment,—in the spirit of the men who in Mr. Jefferson's day had sought to make it a means of party mastery against the judges of the federal courts. From the 5th of March to the 16th of May the unedifying trial dragged on. Even while it pended the President went incorrigibly up and down the country speaking with his accustomed unguarded passion and open defiance of every one concerned against him in the long series of controversies which had brought the trial on. Fortunately there were men among the Republicans of the Senate who put their consciences as lawyers and their scruples as statesmen before their allegiance to their party leaders. On the 16th of May the impeachment broke down. The first test vote was taken; seven Republican senators voted with the ten Democrats of the upper house against the thirty-five Republican senators who cast their votes for conviction. The managers had failed to secure the two-thirds necessary to convict; and a verdict of acquittal was entered. The Secretary of War resigned his office, and the contest was over.

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It was, it turned out, the President's noisy, unapplauded exit from public trust and employment. Four days after the failure of the impeachment proceedings the Republican nominating convention met at Chicago which was to name a candidate for the presidential term to begin on the 4th of March, 1869. It nominated General Grant, unanimously and with genuine enthusiasm, because he was a faithful officer and no politician. Mr. Johnson had shown himself a Democrat, not a Republican, as party lines had been drawn upon the issue of reconstruction; but the Democrats wanted him for another term as little as the Republicans did. Their convention nominated Mr. Horatio Seymour, of New York, a man of high character and unimpeachable reputation in affairs, and went to the country on the question of reconstruction. The result no one seriously doubted from the first. Few voters in the Republican ranks at the North had as yet suffered themselves to see anything in Mr. Stevens's plan of Thorough to daunt either their taste or their principles; the votes of most of the southern States then reconstructed were turned over to the Republican candidate, as expected, by the negro voters; and Mr. Seymour obtained but eighty ballots in the electoral college to General Grant's two hundred and fourteen. It was a significant thing, nevertheless, that in a total popular vote of more than 5,700,000 General Grant's majority was but a little more than three hundred thousand. Mr. Seymour had carried New York and New Jersey at the centre of the old Union. A slight shifting of the winds of opinion might bring weather on which the policy of reconstruction devised in Congress could not survive. But a more normal season seemed at hand. The country was to have at least peace at its capital, a President trusted by the leaders of Congress. Mr. Johnson's tempestuous and troubled term was over, and a plain soldier again at the head of the government.

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Congress did not wait for General Grant's inauguration, however, to go forward with its policy of reconstruction. Before the end of February, 1869 (February 25th), it proposed to the States a Fifteenth Amendment intended to lay in the constitution itself the foundations of negro suffrage which had as yet only the support of the Reconstruction Acts of 1867, mere statutes. "The right of citizens of the United States to vote," so ran its terms, "shall not be denied or abridged by the United States or any State on account of race, color, or previous condition of servitude." New Jersey, Delaware, Maryland, Kentucky, California, and Oregon rejected it; Tennessee did not act upon it; but thirty of the thirty-seven States accepted it, and it became part of the constitution. Virginia, Georgia, Mississippi, and Texas had not yet been reconstructed to the satisfaction of Congress; the acceptance of this new Amendment, accordingly, the enactment in perpetuity of the principle of the Reconstruction Act, was made a condition precedent to their readmission to Congress, as the acceptance of the Thirteenth Amendment, which gave the negroes their freedom, and of the Fourteenth, which made them citizens of the United States and of the States of their residence, had been. This, too, was to be part of the hard-driven bargain of reconstruction before the Republican leaders would be satisfied. The dominance of the negroes in the South was to be made a principle of the very constitution of the Union. A long year went by before three fourths of the States had ratified the radical Amendment, but the necessary votes came in at last, and on the 30th of March, 1870, the new article was officially declared in force.

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The price of the policy to which it gave the final touch of permanence was the temporary disintegration of southern society and the utter, apparently the irretrievable, alienation of the South from the political party whose mastery it had been Mr. Stevens's chief aim to perpetuate. The white men of the South were aroused by the mere instinct of self-preservation to rid themselves, by fair means or foul, of the intolerable burden of governments sustained by the votes of ignorant negroes and conducted in the interest of adventurers: governments whose incredible debts were incurred that thieves might be enriched, whose increasing loans and taxes went to no public use but into the pockets of party managers and corrupt contractors. There was no place of open action or of constitutional agitation, under the terms of reconstruction, for the men who were the real leaders of the southern communities Its restrictions shut white men of the older order out from the suffrage even. They could act only by private combination, by private means, as a force outside the government, hostile to it, proscribed by it, of whom opposition and bitter resistance was expected, and expected with defiance Sober men kept their heads; prudent men saw how sad an increase of passion would come out of hasty counsels of strife, an open grapple between those outlawed and those appointed to govern. Men whom experience had chastened saw that only the slow processes of opinion could mend the unutterable errors of a time like that. But there were men to whom counsels of prudence seemed as ineffectual as they were unpalatable, men who could not sit still and suffer what was now put upon them. It was folly for them to give rein to their impulses; it was impossible for them to do nothing.

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They took the law into their own hands, and began to attempt by intimidation what they were not allowed to attempt by the ballot or by any ordered course of public action. They began to do by secret concert and association what they could not do in avowed parties. Almost by accident a way was found to succeed which led insensibly farther and farther afield into the ways of violence and outlawry. In May, 1866, a little group of young men in the Tennessee village of Pulaski, finding time hang heavy on their hands after the excitements of the field, so lately abandoned, formed a secret club for the mere pleasure of association, for private amusement—for anything that might promise to break the monotony of the too quiet place, as their wits might work upon the matter, and one of their number suggested that they call themselves the Kisklos, the Circle. Secrecy and mystery were at the heart of the pranks they planned: secrecy with regard to the membership of their Circle, secrecy with regard to the place and the objects of its meetings; and the mystery of disguise and of silent parade when the comrades rode abroad at night when the moon was up: a white mask, a tall cardboard hat, the figures of man and horse sheeted like a ghost, and the horses' feet muffled to move without sound of their approach. It was the delightful discovery of the thrill of awesome fear, the woeful looking for of calamity that swept through the country-sides as they moved from place to place upon their silent visitations, coming no man could say whence, going upon no man knew what errand, that put thought of mischief into the minds of the frolicking comrades. It threw the negroes into a very ecstasy of panic to see these sheeted "Ku Klux" move near them in the shrouded night; and their comic fear stimulated the lads who excited it to many an extravagant prank and mummery. No one knew or could discover who the masked players were; no one could say whether they meant serious or only innocent mischief; and the zest of the business lay in keeping the secret close.

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Here was a very tempting and dangerous instrument of power for days of disorder and social upheaval, when law seemed set aside by the very government itself, and outsiders, adventurers, were in the seats of authority, the poor negroes, and white men without honor, their only partisans. Year by year the organization spread, from county to county, from State to State. Every country-side wished to have its own Ku Klux, founded in secrecy and mystery like the mother "Den" at Pulaski, until at last there had sprung into existence a great Ku Klux Klan, an "Invisible Empire of the South," bound together in loose organization to protect the southern country from some of the ugliest hazards of a time of revolution. The objects of the mysterious brotherhood grew serious fast enough. It passed from jest to earnest. Men took hold of it who rejoiced to find in it a new instrument of political power: men half outlawed, denied the suffrage, without hope of justice in the courts, who meant to take this means to make their will felt. "They were to protect their people from indignities and wrongs; to succor the suffering, particularly the families of dead confederate soldiers"; to enforce what they conceived to be the real laws of their States "and defend the constitution of the United States and all laws passed in conformity thereto; to aid in executing all constitutional laws and protect the people from unlawful seizures and from trial otherwise than by jury." Similar secret orders grew up alongside the great Klan, or in States where its "dens" had not been established: Knights of the White Camellia, Pale Faces, Constitutional Union Guards, the White Brotherhood, to serve the same ends by the same means. The Knights of the White Camellia, founded in New Orleans in the winter of 1867-1868, spread their organization abroad more widely even than the Ku Klux Klan.

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It was impossible to keep such a power in hand. Sober men governed the counsels and moderated the plans of these roving knights errant; but it was lawless work at best. They had set themselves, after the first year or two of mere mischievous frolic had passed, to right a disordered society through the power of fear. Men of hot passions who could not always be restrained carried their plans into effect. Reckless men not of their order, malicious fellows of the baser sort who did not feel the compulsions of honor and who had private grudges to satisfy, imitated their disguises and borrowed their methods. What was done passed beyond mere mummery, mere visiting the glimpses of the moon and making night hideous, that they might cause mere "fools of nature horridly to shake their disposition with thoughts beyond the reaches of their souls." It became the chief object of the night-riding comrades to silence or drive from the country the principal mischief-makers of the reconstruction regime, whether white or black. The negroes were generally easy enough to deal with: a thorough fright usually disposed them to make utter submission, resign their parts in affairs, leave the country,—do anything their ghostly visitors demanded. But white men were less tractable; and here and there even a negro ignored or defied them. The regulators would not always threaten and never execute their threats. They backed their commands, when need arose, with violence. Houses were surrounded in the night and burned, and the inmates shot as they fled, as in the dreadful days of border warfare. Men were dragged from their houses and tarred and feathered. Some who defied the vigilant visitors came mysteriously to some sudden death.

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The more ardent regulators made no nice discriminations. All northern white men or women who came into the South to work among the negroes, though they were but school teachers, were in danger of their enmity and silent onset. Many of the teachers who worked among the negroes did in fact do mischief as deep as any political adventurer. The lessons taught in their schools seemed to be lessons of self-assertion against the whites: they seemed too often to train their pupils to be aggressive Republican politicians and mischief-makers between the races. The innocent and enlightened among them suffered in the general opinion from the errors of those who deliberately sowed discord; and the regulators too often failed to discriminate between those who made trouble and those who fulfilled their gentle errand in peace and good temper.

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The ranks of those who flocked into the South to take part in the reconstruction of the States and the habilitation of the negro for his life of freedom were strangely mixed of good and bad. The teachers came upon an errand of mercy and humanity, but came too many of them with bitter thoughts and intolerant purpose against the white people of the South, upon whom, as they did not reflect, the fortunes of the negro in any case depended. The politicians came for the most part like a predatory horde; but here and there emerged a man of integrity, of principle, of wise and moderate counsel, who in the long run won the confidence even of those who hated with an ineradicable hatred the party and the practice of federal control which he represented. The Ku Klux and those who masqueraded in their guise struck at first only at those who made palpable mischief between the races or set just law aside to make themselves masters; but their work grew under their hands, and their zest for it. Brutal crimes were committed; the innocent suffered with the guilty; a reign of terror was brought on, and society was infinitely more disturbed than defended. Law seemed oftentimes given over. The right to the writ of habeas corpus was again and again suspended to check the lawless work. At least one governor of the reconstruction period sent to his adjutant general lists of leading citizens proscribed, with the suggestion that those whose names were specially marked should be tried by court martial and executed at once before the use of the writ should be restored. One lawless force seemed in contest with another.

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Such was the disturbing subject matter of the news which crept north during the first year of General Grant's administration as President. It found business as well as politics moved by its own uneasy excitements. The year 1869 witnessed an attempt on the part of a small group of brokers to corner the gold market, singularly audacious, singularly fatal in its consequences to the business of the country. Their operations culminated on a certain "Black Friday," the 24th of September, 1869. All foreign trade balances, all payments of customs duties at the ports, required gold, and the Wall Street firm of Smith, Gould, Martin & Co., in association with a few others, undertook nothing less than to get control of all the gold in the country that was available for such purposes, Outside the Treasury of the United States. They sought to keep the gold in the Treasury out of their way in the market by interesting friends of the President to ply him with arguments based upon public policy to which they thought he would be amenable, and hurried their operations to a crisis while the arguments told; bought gold on every hand, at any figures; and forced its price up, up, until the end came on that Friday which the Street was never to forget. On that day they had the prices and the stock of gold almost at their disposal when the news came that the President had ordered the sub-treasury of the United States at New York to sell gold from the vaults of the government for the relief of the market and it was known that the hundred million which the government held had begun to be released. Then the crash came, and the ruin the operators had wrought, for themselves and others, was laid bare. Trade at home as well as abroad depended upon the available stores of gold. That desperate speculation had upset credit. The movement of the crops halted; foreign trade came to a standstill; the West would not deal with the East; the East could not deal over sea. No man who handled money knew just where he stood. The business of the continent was racked to its centre; and every man who knew the money market knew that it would be many a weary month, it might be many a weary year, before the demoralizing effects of that day would pass away. The operators who had brought the panic on shielded themselves in the courts, and even the immediate ruin they had wrought upon their victims could not be repaired.

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There were abundant crops, and business lacked nothing to make it prosperous but a steady money market. The census taken in 1870 showed the population of the country increased by more than seven millions since 1860, for all it had been a decade filled with death and war. Even the South had added some eight hundred thousand to her reckoning. Industry went forward at a quiet pace, and the wealth of the country grew in the very season of financial panic. It was the unquiet spirit of adventure that upset affairs. The war had thrown business from its ordinary courses. The huge purchases of the War Department, the unusual peril of the seas so long as the confederate privateers were abroad, the necessary hazards of business while war filled every transaction with conjecture had bred the speculative temper and quickened the instinct for adventurous operations on the grand scale; had made men apt at managing "corners" and reckless what risks they added to the legitimate hazards of trade.

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Embarrassments alike of business and of feeling, created by the war and all that had come in its train, cleared very slowly away. Local storm though it was, the war had not failed to send its airs abroad and cry ate international disturbances as well as domestic. It had particularly threatened to bring about serious misunderstandings between England and the United States. Most of the confederate privateers and swift cruisers that had played havoc with the sea-going trade of the United States during the earlier years of the war had been built in English ship yards and had come from English ports. Their arms and equipment had been bought in England. Their officers had waited for them in England, drawing their pay, the while, through English banks. The English government acknowledged itself bound to prevent all overt attempts of its subjects to aid or arm the enemies of a nation with which it was at peace, and to prevent the use of its ports and waters as a base of naval operations against her; but it did not consider itself bound, as the government of the United States contended that it should, to canvass every case of suspicion in such matters and detain vessels merely upon reasonable ground of belief that they were intended for uses inconsistent with its neutrality. Mr. Charles Francis Adams, the minister of the United States, had brought every case promptly to the attention of her Majesty's ministers and in more than one case had laid convincing evidence before them of the character and destination of vessels being fitted out in English ship yards for the service of the Confederacy; and the government at Washington could not but connect their slow and indifferent action in the cases submitted, their apparent unwillingness to examine the evidence, their slackness in taking steps to seize the suspected vessels with their manifest friendliness, or at least benevolent neutrality, towards the Confederate States, their recognition of their belligerent rights, their half inclination to accord them full recognition as an independent power. It soon became evident that entire cordiality of feeling between the two governments could not be restored until the matter had been brought to a definite reckoning and final adjustment.

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The reckoning came at the very outset of General Grant's administration. Mr. Seward had tried to bring it about while Mr. Johnson was President, but the Senate had rejected the method of settlement he had been willing to adopt, and an arrangement agreeable to both governments was not arrived at until the spring of 1871. In May of that year, a Joint High Commission appointed by the President and the ministers in London and sitting in Washington, agreed upon a treaty, acceptable to the Senate, which referred the claims of the United States against Great Britain on account of the damage inflicted by the Alabama, the Florida, the Shenandoah, and all other confederate vessels alleged to have been fitted out in British ports, "generically known as the Alabama claims," to the arbitration of a tribunal of five persons to be named by the President of the United States, the Queen of England, the King of Italy, the President of the Swiss Confederation, and the Emperor of Brazil respectively, and to sit at Geneva, in Switzerland. The treaty of Washington,—so it was called,—provided also for the settlement of other matters in dispute between the two governments which touched their permanent interests: the right of American fishermen to catch fish upon the Canadian coasts and of Canadian fishermen to make their catches upon the northern coasts of the United States, and the exact line of boundary between the United States and British North America within the streams which separated them and within the channel between Vancouver's Island and the continent; but the Alabama claims for the moment seemed to all eyes to stand at the front of the matter. On the 14th of September, 1872, after a three months' hearing, the Geneva tribunal rendered a decision in favor of the United States, only the English member of the court dissenting. It awarded to the United States $15,500,000 in damages. But the strain of the matter had been taken off by the treaty; the decision of the tribunal ended, not a controversy, but a judicial process at the end of controversy.

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The strain of domestic politics was enough to withdraw heat from such matters when once they had become mere matters of business. The reconstruction even of those southern States in which the establishment of negro majorities had miscarried and the white voters had mustered strong and stubborn enough to reject the laws Congress tried to thrust upon them (Virginia, Georgia, Mississippi, and Texas) was complete by midsummer, 1870. But the mere completion of the formal process of reconstruction, as planned in Congress, did not mean order or the quiet settlement of affairs in the South. The white men, with whom effective initiative and the real weight of predominance rested in any case, had had their wits quickened and their temper hardened by what the Republican leaders had done. They were shut out from the use of the ballot and from every open and legitimate part in affairs, but they had come at their power in another way. Those who loved mastery and adventure directed the work of the Ku Klux. Those whose tastes and principles made such means unpalatable brought their influence to bear along every line of counsel or of management that promised to thrust the carpet bagger out of office and discourage the negro in the use of his vote. Congress saw where they meant to regain their mastery, at the polls, and by what means, the intimidation and control of the negroes without regard to law—the law thrust upon them, not their own; and hastened to set up a new barrier of statute against them.

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In May, 1870, it had passed an Act which put southern elections and the registration of voters in the southern States under the superintendence and virtual control of federal supervisors and marshals, who were empowered to protect all voters in the exercise of their right of suffrage, and whose complaints were to be heard, not by the courts of the States, but by the circuit courts of the United States alone. At its next session it still further strengthened the Act. The forty-second Congress met on the 4th of March, 1871, in extraordinary session, to continue legislation to the same end. Not merely the acts of registration and voting needed to be guarded; every privilege conferred upon the negro as an incident of his new freedom seemed in need of protection: the Republican leaders were determined that the Fourteenth as well as the Fifteenth Amendment should be buttressed about by penal legislation and the whole force of the government, if necessary, brought to bear to put them into effectual execution. A committee of seven senators and fourteen representatives was appointed to inquire into the actual condition of the South and ascertain the facts with regard to the alleged outrages there, and a drastic Act was passed (April 20,1871) which was meant to crush the Ku Klux Klan and all lawless bands acting after its fashion. Its provisions made such acts, whether of violence or of mere intimidation, as the secret societies of the South had committed conspiracy against the government of the United States, punishable by heavy fines or by imprisonment, or by both fine and imprisonment, and authorized the President, whenever the state authorities were unable or unwilling to prevent or check them, to use the land and naval forces of the federal government for their suppression, as against an insurrection. It authorized him, also, until the close of the next regular session of Congress, to suspend at his pleasure the writ of habeas corpus "during the continuance of such rebellion against the United States," in such portions of the southern country as seemed to him most touched by the disorders of the time or most under the control of the secret associations. The Act gave to the federal courts which were empowered to enforce it the right to exclude from their juries persons suspected of sympathizing with those who violated its provisions. It was meant to destroy root and branch the organizations which had set themselves to annul the rights of the negroes. The Act of May, 1870, had made it a criminal offence "to go in disguise upon the highway, or upon the premises of another" by way of conspiracy "to deprive any citizen of his constitutional rights," striking directly at the secret orders and their more lawless imitators.

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General Grant used the powers conferred upon him with the energy and directness of a soldier, as Congress had expected. On the 12th of October, 1871, singling out nine counties of South Carolina in which such acts as Congress had aimed its blow at were most frequent, he called upon the members of all illegal associations within them to surrender their arms and disguises within five days. Five days afterwards, his proclamation not having been heeded, he suspended the privilege of the writ of habeas corpus in the counties named, and two hundred arrests, followed promptly enough by prosecution and conviction, were immediately made. It was easy, with the powers bestowed by the Act upon the federal judges, to push trials to a quick consummation, and to eliminate all reasonable chance of escaping conviction. And the action of the President in South Carolina was but a beginning of his action throughout the South. Everywhere that the secret orders or the reckless fellows who plied their means of intimidation without scruple or principle or public object had been most active arrests and prosecutions came thick and fast; and within but a little more than a year an end was made of the business.

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But, though the Act had worked its drastic remedy, peace, accommodation, the rational relationships between race and race upon which alone a reasonable order of life could rest, were, it might be, further off than ever. The joint committee of Senate and House which Congress had appointed to accompany the execution of the Act with a thorough-going inquiry into the actual condition of the South filled thirteen volumes with the reports of their investigations. They found no justification for what the white men of the South, desperate to free themselves from the rule of negroes and adventurers, had done; they drew forth from their witnesses little but what was dark and of evil omen; they made no serious attempt to understand the causes which underlay conspiracy and chronic disorder; they only laid before the country a mass of undigested testimony, crude, unverifiable, and uttered their expected condemnation of a people at bay. But the country began to see for itself the real philosophy of the painful story. Significant rifts began to show themselves in opinion. It began to be plainly evident to all who were willing to look facts in the face what Mr. Stevens and his radical colleagues had really accomplished by their policy of Thorough. They had made the white men of the South implacable enemies, not of the Union, but of the party that had saved the Union and which now carried its affairs in its hands. Their reconstruction, whose object had been, not the rehabilitation of the southern governments, but the political enfranchisement of the negroes, had wrought a work of bitterness incomparably deeper, incomparably more difficult to undo, than the mere effects of war and a virtual conquest of arms. They had made the ascendency of the party of the Union seem to the men of the South nothing less than the corruption and destruction of their society, a reign of ignorance, a regime of power basely used; and this revolt, these secret orders with their ugly work of violence and terror, these infinite, desperate shifts to be rid of the burden and nightmare of what had been put upon them, were the consequence.

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The reactions of opinion were slow. The country, though it grew uneasy, was not yet ready to put itself in the hands of the Democratic party, which had opposed the war, and which still suffered in the thought of the voters the discredit of its old alliance with the slave owners. The presidential election of 1872 came and went without disturbing the supremacy of the majority. But it brought to light many things that gravely disquieted the Republican leaders. Thoughtful and influential men whose support they could ill afford to lose, were, they perceived, being alienated from them. It was a serious matter that their plans in the South had so miscarried and required even yet the policing of whole districts by armed men. Evidently nothing but force sustained them, or could sustain them; and no humane or thoughtful man could look with complaisance upon a perpetual subjection of the South to federal arms. The administration of southern affairs from Washington wore, moreover, from another angle an unhandsome appearance. Its objects seemed to be, not so much the enforcement of constitutional rights as the aggrandizement of personal adherents of the President and of the close partisans of the Republican leaders who were most in his confidence. The troublesome, unwholesome matter of official patronage played too prominent a part in the motives of the government, and made the treatment of southern affairs seem only a phase of the general "spoils system" of appointment to office which seemed to have fastened itself upo]1 the party organization of the country.

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It was bad enough that the federal offices should be emptied wholesale upon a change of parties in the administration, to make room for the partisans of the successful leaders, as they had been when Mr. Lincoln came to the presidency,—as they had been at every change of parties since General Jackson's day; but that had at least given political solidarity to the administration and made the President in some sort master in the counsels of his party. Now a new and sinister sign was added that the official patronage of the government was to be used, not to strengthen and solidify the administration, but to give secure political power to local managers who were to be permitted to dictate to the President whom he should appoint to office. In one State after another there emerged some one man,—a senator, a representative, a federal official of high office—who was recognized as the President's only adviser with regard to all appointments within his State; and all federal office holders within that State became by natural consequence his sycophants. In the South these petty masters were too often the political adventurers who had been drawn to their places of preferment by the temptations of the process of reconstruction, when the negroes waited to be used, or men who were themselves the subservient tools of politicians in Washington. General Grant himself felt the demoralization of the system very keenly and desired its radical reformation, but was easily imposed upon by men whom he trusted, and trusted men without discrimination. He had great simplicity of character. He judged men shrewdly enough when he saw them in action, but had little insight into their real motives and character when associated with them in counsel. It seemed to him unnatural, unfaithful, as it had seemed to General Jackson, to doubt or distrust his friends,—not so much because he was a soldier and ready to stand by his comrades with stout allegiance as because, like most men of simple nature, he deemed others as honest as himself, and suspicion a thing for rogues to harbor.

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The President had alienated, moreover, certain men whose support he could not afford to dispense with. He had set his heart upon the annexation of Santo Domingo to the United States, and had come to an open breach with Mr. Charles Sumner, chairman of the Senate Committee on Foreign Affairs upon the matter. That and many other things, great and small, had driven Mr. Horace Greeley also into opposition, the erratic, trenchant editor of the New York Tribune. Mr. Sumner seemed to a great many men in the country to stand for the older, better, more elevated traditions of the Republican party, which General Grant seemed to be fast drawing to the lower levels of self-aggrandizement and power. Mr. Greeley wrote editorials every day which told like sharp blows upon the consciousness of all the thousands of plain men the country-sides through who looked to the Tribune for guidance as to an oracle. It was no light matter to have such men set against the administration.

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It was the more embarrassing because there were large matters of policy, as well as scattered items of mistaken action and vague fears for the civil service, upon which an opposition could concentrate. At the heart of these was the disfranchisement of the white men of the South. It was plain to see that the troubles in the southern States arose out of the exclusion of the better whites from the electoral suffrage no less than from the admission of the most ignorant blacks. It was no doubt in part because the South could not use its real leaders in open political contest that impatient men and radicals had been driven to use secret combination and all the ugly weapons of intimidation. The processes of reconstruction were made by those who managed them to depend as much upon withholding the suffrage from all who had participated with any touch of leadership in secession as upon the use of the negroes as voters and the radical amendment of the southern constitutions; and it presently became evident that there was a rapidly growing number of thoughtful men in the Republican ranks who thought it high time to grant a general amnesty and bring affairs to a normal condition again in southern society. Mr. Greeley was strongly of that opinion, and it took form and bred concert of action rapidly enough to play a determining part in the presidential campaign of 1872. In 1870 the question had taken very definite form among the Republicans of Missouri, and the party had split asunder there into a radical and a liberal faction. The radicals wished for the present to maintain the disqualifications imposed by the constitution of the State upon those who had identified themselves with secession during the war; the liberals demanded "universal amnesty and universal enfranchisement," and won in the state elections. The leaders of the successful revolt were Mr. Benjamin Gratz Brown and Mr. Carl Schurz. Mr. Brown had been politician, editor, soldier, senator these twenty years, and with the success of his party became governor of the State. Mr. Schurz was a member of the Senate, a man but just turned of forty but bred since a lad to the role of aggressive liberal in politics,—an exile from his German home because of his participation in the revolutionary movements of 1849. He was an orator whom opponents not prepared to join frank issue found it prudent to avoid in open contest. Mr. Lincoln had named him minister to Spain in 1861, but he had preferred the field and entered the army; and at the close of the war had been sent by the legislature of Missouri to the Senate of the United States.

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The "Liberal Republicans" of Missouri, thus led, called upon men of like views everywhere to join them, and their ranks for a little seemed to fill upon a scale which threatened to make them a formidable national faction. The form the presidential campaign of 1872 was to take was determined by their initiative. In May, 1872, a national convention of their partisans came together at Cincinnati, at the call of the Missouri leaders, and nominated Mr. Greeley for the presidency, Mr. Benjamin Gratz Brown for the vice presidency. These were nominations which the country found it hard to take seriously. Mr. Greeley's irregular genius, useful as it was in the trenchant statement of issues and the sharp challenge of opinion, was not of the kind prudent men were willing to see tried in the conduct of the government. He was too much a man of impulse, without poise or calculable lines of action. Mr. Brown the country did not know, except as a picturesque Missouri soldier and politician. The names of much more statesmanlike men had been proposed in the convention, but it had acted like a great mass meeting rather than like the organ of a party, upon impulse and hastily considered policy rather than with prudent forecast or real knowledge of the true grounds of expediency. Its platform exhibited the same characteristics of half-formed opinion and a hurried compromise of interests. It condemned the existing administration as corrupt in its use of the patronage and absolutely disregardful of constitutional limitations in its use of power in the States, and demanded the "immediate and absolute removal of all disabilities imposed on account of the rebellion," in the belief that universal amnesty would "result in complete pacification in all parts of the country"; but its formulations of policy were vague and evasive. It was framed to please all elements of a mixed opposition, and to make as acceptable as possible its closing invitation to "all patriotic citizens, without regard to previous political affiliations," to join with its framers in purifying the government.

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The Democratic convention, which met in Baltimore early in July, accepted both the platform and the candidates of the Cincinnati convention, though the Democratic leaders liked neither. The platform spoke no recognizable Democratic doctrine, except, indeed, in its advocacy of the maintenance of the public credit by a speedy return to specie payments, and the candidates were men whom no experienced politician could hope to see elected. But the split in the Republican ranks evidenced by the Cincinnati convention was the only sign anywhere visible to the Democratic leaders of a change in public sentiment likely to weaken the party in power. Without the coalition they knew themselves helpless; with it they hoped to make at least a show of strength. Such allies might be worth the weak candidates and the inconclusive declaration of principles that went with them. The "Liberal Republicans" had given form to the whole campaign, as they had expected.

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The result was what every one who had the least sagacity in reading the signs of political weather perceived from the first it must be. The Democrats added but one hundred and thirty thousand to their popular vote of four years before, though the number of voters in the country had greatly increased and for the first time in the history of the government every State chose its electors by the direct suffrage of the people. The Republicans added six hundred thousand to their vote, and General Grant was elected for a second term by an overwhelming majority in the electoral college (286-63). The congressional elections which accompanied the choice of President gave the Republicans again, moreover, their accustomed two-thirds majority in both houses. All things stood as before; the opposition were yet a long way off from power. Mr. Greeley survived the elections but a few weeks. He had not seen how hopeless his candidacy was. He was turned of sixty and had been broken in health. All his years had been full of such keen and unremitting labor as robs a man at last of his elasticity. The sudden stroke of utter defeat, touched almost with farce, so that men laughed to see how complete it was, was more than he could bear. On the 29th of November, 1872, before the electors had voted, he died. The few votes that would have gone to him were given as the electors pleased to men who had been his allies in the novel coalition he had led.

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And yet, though the coalition had failed, the Democrats were nearer their day of success than they dreamed. Within two years the Republican majority of nearly one hundred in the House of Representatives had been supplanted by a Democratic majority almost as large, and the men who had led the party of reconstruction found their season of mastery gone by. The country had begun to see with how radical a demoralization the war party it had trusted was beginning to be touched, and how impotent the amiable soldier they had put at the head of the government was to guide or better it. General Grant had found that the appointment of men to political office upon the recommendation of politicians and personal friends, though the friends were his own and the politicians men whom the country honored and whom he would have deemed it a reproach upon himself to distrust, was a very different matter from promoting officers tested under his own eye in camp and field. The leaders of Congress perceived plainly enough the movement of opinion out-of-doors, saw the service of the government steadily sinking to a lower level of efficiency, knew what influences were at work to debase it and what condemnation must come upon them should the use made of the patronage come fully to light. On the 3d of March, 1871, accordingly, they put through Congress an Act which authorized the President to frame and administer, through a commission, such rules as he thought best for the regulation of admissions to the civil service. The President accepted the Act with cordial approval, with an obvious sense of relief, indeed; and with complete indifference to the distress of the politicians proceeded to establish and enforce a system of competitive examinations for office. But the politicians were stronger in Congress than the President, and after two years of painful exclusion from the use of the patronage induced the houses to withhold the appropriation necessary for the administration of the President's new system of appointment. They had not yet learned how hard a master public opinion was to be in that matter.

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Possibly the mere demoralization of the civil service would not by itself have brought upon them the bitter discipline of defeat which they presently underwent. Other things went along with it which stirred the country more deeply; which made Congress itself seem corrupt and the party which controlled it without a watchful sense of honor. The year 1869, in which General Grant became President, had been marked by the completion of both the Central Pacific and the Union Pacific railways, the two lines begun in 1863, the one eastward from the Pacific, the other westward from the Missouri River, which when completed at their point of junction at last bound East and West together across the long plains and the high passes of the Rockies upon which so many a slow caravan had lost its way and its precious freight of human lives. In 1867 the company which had undertaken the construction of the Union Pacific had acquired by purchase the charter of a corporation organized in Pennsylvania in 1863 upon the model of the great French Societe Generate dir Credit Mobilier, for the placing of loans, the handling of all marketable stocks, and the transaction of a general banking business. The French company had come very near to getting into its hands the whole brokerage business and mercantile credit of France; the promoters of the Union Pacific Railway bought out the Pennsylvania company in order to obtain a suitable instrument for conducting the financial operations connected with their undertaking. Congress had made immense grants in aid of the Pacific railway, regarding its construction as of no less importance to the government than to the commerce and material development of the country, because it would bind the two coasts of the continent which had hitherto been almost like separated countries together by a great highway along which authority and the influences of opinion could travel as well as trade. Its subsidies had taken the form of six per cent gold bonds: $16,000 for every mile of rails upon the prairies or the coast plains beyond the mountains, from $32,000 to $48,000 for every mile through the passes of the mountains or the difficult country between range and range,—besides twenty-five million acres of public land along the line of the road.

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Here was a perilously close connection between a great financial undertaking and legislation by Congress; and in the presidential campaign of 1872 it was openly charged by the Democrats that Mr. Colfax, the Vice President, Mr. Henry Wilson, the Vice President elect,—the Speaker of the House of Representatives, and a number of senators and representatives had accepted gifts of Credit Mobilier stock in consideration of legislative and other services to be rendered the company. Both houses appointed committees of investigation. The revelations which ensued filled the country with uneasiness and disgust. Against the more prominent officials accused no proof of conscious wrongdoing was found. Only two members of the House and a single member of the Senate were found to have deliberately engaged in transactions which touched their integrity and honor. But many a detail came to light which showed that members carried very easy-going consciences in such matters, accepted favors without looking too curiously into their motive or significance, thought more often of their personal interests than of the public honor, and felt very slightly the responsibility of their posts of trust. It was open to any one who chose to believe that less had been told than had been covered up; that, with but a little more probing, it might have been possible to unearth many an unsavory intrigue. The discredit of the ruling party in the houses was steadily deepening.

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The painful impressions left by the investigation were heightened by the deliberate action of the houses during the very session which saw it instituted and concluded. They did not scruple to pass an Act which increased the compensation of senators and representatives and which was made to apply retroactively to the sessions of the past two years,—an Act which the country very bluntly dubbed a "salary grab" and deemed quite in keeping with the reputation of a Congress which had censured but did not expel the members whom its own investigation had shown to be guilty of corrupt connection with the Credit Mobilier.

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Other impressions, well or ill founded, supervened which confirmed the country in its distrust of the men who were in control of affairs. In September, 1873, financial panic once more came upon the country with a rush, amidst abundant trade, amidst every sign of prosperity, when wages were good, employment readily found, factories busy, prices normal, money easy. Railways had been built too fast in the West. Within five years no less than $1,700,000,000 had been spent in railway construction. A Northern Pacific Railroad was in course of construction, to be pushed forward through a new section of the country; and not a new Pacific railway only but shorter lines also by the score in regions where as yet there were no people, in order that parts of the country otherwise inaccessible might be opened up to quick settlement and profitable use. Such roads could not reasonably look to make a profit for twenty years to come. They were built with borrowed money. Their bonds filled every market, at home and abroad. Some new roads there were which were only extensions of older lines of established earning capacity; but the older portions could not earn enough to pay for the new. Certain as the prospects of profit were, when the country should grow and settlers come to dot the lines of rail with towns, flank them with farms, and put factories at every point of vantage, their construction was for the present purely speculative, and the processes of growth upon which they depended to keep them from bankruptcy could not be sufficiently hurried to save their credit. Early in September, 1873, the break began to come. One by one banking and brokerage firms in New York which had advanced money to western and Canadian railways began to announce their inability to meet their obligations. On the morning of the 18th Mr. Jay Cooke, the agent of the federal government, with $4,000,000 of deposits from all parts of the country and $15,000,000 of the paper of the Northern Pacific company, declared himself unable to meet his debts, and the "Street" knew that the end had come. Firm after firm, company after company, went to the wall, some of them reputed the strongest in the country, and a long, slow winter of panic ensued whose effects the business of the country was to feel for years to come.

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Men who did not know how to reason upon such matters or how to distinguish the real forces that governed the credit of the country were inclined to attribute this sudden sweep of calamity across a money market apparently prosperous and at peace to the financial legislation of Congress. On the 12th of February, 1873, an Act had become law which, it was said, had "demonetized" silver and upset values. The Act had dropped from the list of authorized coins the silver dollar of 412 1/2 grains, which had hitherto been the standard silver dollar of the coinage, and had authorized, in partial substitution, a "trade dollar" of 420 grains. No silver dollars of 412 1/2 grains had been coined since 1808; since 1853 there had been no silver dollars in circulation; the Act simply made what was fact also law, and had passed without objection. But when the financial crisis of the autumn of 1873 came many persons recalled the "demonetization" of silver effected at the opening of the year, and made shrewd theories about the causes of a panic whose explanation was obvious and upon its face. The Republicans in Congress had had the ill fortune to alter the law of the currency upon the very eve of a financial disturbance, and those who did not like their conduct of the government and suspected them of more corruption than had been proved were at liberty to add this to the list of things they had done amiss, to the damage of the country. The congressional elections of the autumn of 1874 went heavily against them; the House was lost to the Democrats; their majority in the Senate was retained only because the Senate was guarded by its constitution against sudden change. The impressions of that autumn and the events of the next year lost them also the local elections in many of the northern States which had so far seemed their safe strongholds. Even Massachusetts chose a Democratic governor.

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The country could not overlook the evidences of demoralization at Washington. In 1875 it was discovered that there was concerted action in the West between distillers and federal officials to defraud the government of large amounts in respect of the internal revenue tax on distilled spirits, a "whiskey ring," as the newspapers called it, which did not hesitate to use a portion of its fraudulent profits to make good its opportunity and its immunity by political corruption. Mr. Belknap, the Secretary of War, was accused of accepting bribes in dispensing the patronage of his Department, and, upon impeachment on that charge, resigned his office as if in confession, to escape punishment. Venality and fraud began on all hands to be suspected, even where they did not exist, and mere inefficiency began to irritate the country as if it were but a part of the general decadence of official honor. The President himself saw how ill, how discreditably, and with how incorrigible a tendency towards serious and even criminal misconduct, the administrative branches of the public service operated under his hand, and with the simplicity and frankness which were characteristic of him,—the simplicity and frankness which unscrupulous politicians played upon to betray him,—acknowledged his failure and longed for release from duties in the performance of which he knew that he had blundered. His eight years of power had cost his party its predominance.

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It was not the condition of the civil service alone, however, or the mere alarm of the country at the too frequent disclosures of malfeasance in office which brought the ascendency of the Republicans to an end. Congress did its part to make it plain that nothing but blunders were to be expected from the political legislation of the men who had devised and forced to their execution the measures of reconstruction. On Christmas day, 1868, President Johnson had proclaimed full pardon and amnesty for all who had participated in secession, without reserve or exception, and by an Act of the 2d of May, 1872, Congress had removed the political disabilities imposed by the third section of the Fourteenth Amendment from all who had served the Confederate States, except only those who had left the Congress of the United States or the judicial, military, or naval service of the federal government, the headship of an executive Department or the post of minister at a foreign court to take part with the seceding States. But, though they thus cleared away the more abnormal obstructions to the return of settled peace and a natural order of life at the South, the congressional leaders could not keep their hands from the race question. Mr. Sumner, in particular, was insistent that the negroes should be given imperative federal law for their support in the assertion of their social no less than of their political rights; and in February, 1875, at last had his way, though he did not live to see it. A bill passed which gave the federal courts the authority, by appropriate process and penalty, to enforce the right of negroes to accommodation in public inns, theatres, railway carriages, and schools, and to service upon all juries, upon the same footing as white persons. The Act became law on the 1st of March, three days before the expiration of the term of the last House of Representatives the Republicans were effectually to control for fifteen years. It was the older leaders' last Act for creating friction at the South. For eight years it was to fail utterly of accomplishing its object and yet to work its work of irritation, to be set aside at last by the Supreme Court (1883) as an invasion of the legal field of the States which no portion of the constitution, new or old, could be made to sustain.

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The reconstruction of the southern States had been the undoing of the Republican party. The course of carpet bag rule did not run smooth. Every election fixed the attention of the country upon some serious question of fraud or violence in the States where northern adventurers and negro majorities were in control. Congress could not remove the political disabilities of the southern white men without increasing their power at the polls and cutting at the foundations of Republican rule in the South; and yet, though the white voters were disfranchised, in at least three of the southern States Republican rule was maintained only by direct aid from Washington—and sometimes at the point of the bayonet. General Grant had grown infinitely impatient that there should come every year, from State after State, calls for troops to keep the Republican governments at the South in their place of power. "The whole public are tired out with these annual autumnal outbreaks in the South," he said, in refusing troops to the governor of Mississippi, "and the great majority are ready now to condemn any interference on the part of the government. I heartily wish that peace and good order may be restored without issuing the proclamation. But, if it is issued, I shall instruct the commanders of the forces to have no child's play." Here was the right feeling of the man and the grim firmness of the soldier. He was not mistaken as to the feeling of the country; and though he withheld his hand where he could, there was military interference enough to exasperate that opinion to the utmost. Before his term was out the white voters of the South had rallied strong enough in every State except South Carolina, Florida, and Louisiana to take their governments out of the hands of the men who were preying upon them. That they had done it by methods which only an almost revolutionary state of society justified no one doubted: by keeping the negroes away from the polls by every form of intimidation, by forceable interference with their rights when necessary, by every expedient, whether of law or of subtile management, that promised them mastery; but they had triumphed, and there was at least an end of chronic revolution.

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But in Louisiana, in Florida, and in South Carolina, though desperately beset, the Republicans had, by desperate means, kept their hold upon the governments they had made. The troops of the United States were first used to adjust the contest in Louisiana. The revised constitution of Louisiana, revised in the interest of the congressional plan of reconstruction, provided, as most of the new southern constitutions did, for the determination of the results of all elections by a returning board so constituted as to be always under the control of the existing administration of the State. That board had the right to reject, without judicial process and upon its own mere opinion, the votes of all counties or precincts where force or fraud had been employed; and it used that power to check the rising Democratic vote wherever it seriously threatened the supremacy of those in authority. Its surveillance went smoothly enough so long as the Republicans were themselves united; but the Republicans of Louisiana had fallen apart into factions, vacancies upon the returning board had been made and filled by removals and any pointments, amidst disputes and contests of legal right, until there were at last two boards instead of one, and before the matter was quieted three, each of which claimed to be the legal returning board of the State. The result of the election of the autumn of 1872 turned upon their rival claims. Over one the Democrats had got control by coalition with the "liberal" wing of the Republicans; another declared the Republican state officers and the Republican candidates for the state legislature elected, and federal aid was asked to carry its judgment into effect. A committee of Congress, sent down to investigate the matter, found it impossible to disentangle the hopeless quarrel; Congress failed to pass the only measure of relief its leaders were able to think of, a bill providing for a new election; and the President recognized and installed the Republican governor.

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It was not an affair which either party could look back upon with complacency, but the Republicans took the greater discredit from it, and the country grew very restive. A committee of the Senate reported that the district judge of the United States for the District of Louisiana had undoubtedly gone far beyond the scope of his power and acted in "flagrant disregard of his duty" in his use of writs of injunction issued in aid of the faction which the President sustained. Some unsavory intrigue had been uncovered at almost every step of the investigation. Moreover, the action of the President was no settlement of the difficulty. It left the State in a heightened temper of revolution. Riots accompanied the efforts of the questionable government he set up to enforce its authority. In September, 1874, the partisans of Mr. McEnery, the leader of the combined Democrats and "liberal" Republicans, rose in arms, put every officer of his opponent's administration from his place, and assumed control of the government. Again federal troops intervened, and the ousted officers were reinstated. Nice compromises, difficult to maintain and satisfactory to nobody, had to be devised to keep the peace until there should be another trial of strength in the election of a governor at the polls.

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The summer of 1876 was darkened by a tragic war with the Indians of the far West. In 1874 gold had been discovered in the Black Hills which lay upon the border line of Wyoming and Dakota, and the rush of settlers and miners thither had exasperated the Sioux tribes to take the war path. Their chief was Sitting Bull, whom the troops of the United States were to find an opponent to put them on their mettle. Gathering his forces within the secluded valley of the Little Big Horn by the upper waters of the Yellowstone, where he could best mask his strength, he struck first at one and then at another of the three small bodies of soldiers sent to converge upon him. One he forced back; another he effectually checked; part of the third he trapped and utterly destroyed. General Terry, coming against him from Bismarck, sent General Custer forward with the seventh cavalry to go round about and attack him at the rear; and on the 25th of June, riding with five companies hard upon the camp, Custer rode into a death trap. The Indians swarmed around him in numbers which utterly overwhelmed and completely cut him off from retreat, and not a man came away to tell the tale. The other seven companies of the regiment were not at hand to fight with then, or to give them succor, and found themselves obliged, when at last they came up, to fortify a bluff near at hand as a place of safety and retreat until they should themselves be succored and relieved. The forces of the government gathered at last to complete the work so ill begun, and the Indians retired to the mountains; but it took much painful fighting, and many toilsome marches, prosecuted through all the long autumn and the winter itself, to bring them to terms; and Sitting Bull slipped through their hands across the northern border at last.

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Meanwhile the presidential election of 1876 had come and the full harvest of the mischief done in the reconstruction of the South was being reaped. The Democrats nominated Mr. Samuel J. Tilden, a man who had shown his quality as governor of the State of New York and won the respect of all thoughtful men, alike for his integrity and for his ability. The Republicans nominated Mr. Rutherford B. Hayes, who had won his place in the public confidence as an officer of volunteers in the war for the Union, as a member of the House of Representatives, and as governor of Ohio. Both men stood removed from the passionate contests of the period of reconstruction. Their candidacy put the emphasis of party contest as much as might be upon the issues of the new day rather than of the old. But the immediate past was a weight upon the fortunes of the Republicans; the country had turned with evident distrust from the work of confusion they had wrought. Again, as in 1874, Democratic majorities seemed to sweep the country. Only the confusion the Republicans themselves had brought about saved them from utter defeat. State elections had been held, as usual, in most of the States at the same time that presidential electors were chosen, and once again the result of the elections in Louisiana, Florida, and South Carolina was in dispute. The electoral votes of all of these States were necessary for the election of Mr. Hayes. Mr. Tilden had carried Connecticut, New York, New Jersey, Delaware, Maryland, Indiana, and Missouri, as well as the ten southern States whose votes were not in dispute; one hundred and eighty-four electoral votes were secured for him beyond a doubt, and one hundred and eighty-five constituted a majority. A single additional electoral vote would bring him into the presidency, and it seemed possible that at least one might be added to his reckoning by Oregon. There three Republican electors had undoubtedly been chosen, but one of them was thought to have been ineligible under the law, and the Democratic governor had appointed in his stead the next candidate on the poll, a Democrat, and given him his certificate.

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In the South nineteen electoral votes were in dispute. In Louisiana there had, apparently, been a clear majority of Democratic votes cast at the polls, alike for presidential electors and for governor and state legislators; but once again the returning board, which was in the hands of Republicans, had turned a Democratic into a Republican majority by rejecting the votes of precincts in which it declared fraud or intimidation to have been used. Certificates had been given to the Republican presidential electors, accordingly, and again a Republican state government had been set up by force of authority. But again the Democrats had refused to yield. They had set up, on their own part, a Democratic administration, and Mr. Nicholls, whom they claimed to have elected governor, gave certificates to the Democratic electors. In Florida the vote had been very close indeed, and turned upon the votes of a single county. The returning board of the State had but a single Democratic member, the Attorney General, and the majority of the board had given the vote of the State to the Republicans The Attorney General had issued certificates over his own signature to the Democratic electors. In South Carolina federal troops had in many places guarded the polls, and federal troops had assisted the Republican leaders of the State to put the governor and state legislators whom they claimed to have elected into office; but the Democrats claimed that their candidates had in fact been chosen, notwithstanding the obstructions to free voting created by the presence of troops and the interference of federal supervisors acting under the "Force Bills" of 1870 and 1871; inaugurated their own governor, General Wade Hampton, a distinguished cavalry commander of the Confederacy; and set up their own legislature. General Hampton issued certificates of election to the Democratic presidential electors.

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All the country saw, with an instant thrill of misgiving, how perilous a situation was thus created. Here were double returns from three States in a presidential election, and the decision which should be chosen must determine the election. One vote out of the twenty in dispute, though it were only the single questionable vote of Oregon, would give the presidency to the Democrats. The control of the government turned upon the action of the houses when they should come to count the votes in joint session. The House of Representatives was Democratic, the Senate Republican; there was no hope that they could agree. No one could confidently say, though he put partisanship aside and held his judgment at the nicest poise, upon which side the right lay in the disputed southern elections. It was plain enough that in any case the returning boards would have given the vote to the Republicans, whatever the face of the returns, so long as the men for whom they acted felt that they could count upon the support of the Executive at Washington in the maintenance of their authority. It was equally clear, on the other hand, that there were all but indisputable evidences of fraud or at the least irregularity in the votes upon which the Democrats relied. In South Carolina serious riots had occurred whose avowed object had been the intimidation of the negroes. The country had grown very impatient, as General Grant said, of seeing governments maintained at the South by federal arms, and wished very heartily to see the hand of the federal Executive withdrawn, come what come might; and yet it was not as clear as could be wished that this was the occasion for their legitimate overthrow.

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What the country had really to fear was, not the difficulty of the problem as a question of justice, but the passion of parties, the danger that those who stood at the front of party counsels would seek the success of their party by some intrigue, even by some stroke of violence. Foreseeing a certain deadlock of the houses when it should come to a counting of the votes, there was talk among the more headlong and reckless partisans of each side of taking the law into their own hands. There were signs almost of civil war in the air for a few troubled weeks of that anxious autumn.

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But it was never really likely it would come to that. Men trained in the temper of American institutions had never thought to settle a constitutional difficulty after that fashion. Congress listened very willingly to counsels of compromise and moderation. It was agreed that an electoral commission should be constituted, which should consist of five members of the House, three Democrats and two Republicans, five members of the Senate, three Republicans and two Democrats, two Democrats and two Republicans from the supreme bench of the United States, and an additional Justice from the same court selected by the four Justices named in the bill; and that to that commission should be referred every question in dispute. Such a commission was undoubtedly an extra-constitutional body, and its decisions disappointed the country of any display of judicial impartiality it may have hoped for from it. Mr. Justice Bradley, who was chosen by his fellow Justices of the commission to be the fifteenth member of the tribunal, voted in every instance in favor of the Republican claims, as did every other member of the commission, whether judge, senator, or representative, whose affiliations were with the Republican party. Every Democrat of the commission voted in favor of the claims of the Democratic managers. Every question submitted was settled by a vote of eight to seven. But there was at least a settlement, which no one dreamed of disputing or attempting to annul. General Grant gave way to Mr. Hayes, and the government remained in the hands of the Republicans.

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To Mr. Hayes the tacit obligations of the situation were plain. He withdrew the federal troops from the South. The Republican governments of Louisiana and South Carolina were dissolved, and the Democratic governments which had claimed the election quietly took their place. The supreme court of Florida obliged the returning board of the State to accept the returns which had come to them from the disputed county, and a Democratic government came there also into power. The era of reconstruction was at an end.

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The quiet figure of the retiring President began to seem almost at once like a figure lingering out of an age gone by. The honest, simple-hearted soldier had not added prestige to the presidential office. He himself knew that he had failed, that the administrative scandals, the stain of corruption, of intrigue, of malversation, the appearance as if of a group of personal allies bent upon their own aggrandizement rather than of a body of public servants devoted to the honest conduct of the nation's business, which had marked his management of the executive office must always stand as proof that he ought never to have been made President. But the corruption had not touched him. He was unstained. Every one who thought justly of the matter attributed his failure rather to his very honesty and simplicity of nature than to any fault of will. His trustfulness had betrayed him; his desire to be faithful to his friends had led him to shield knaves. He had thought other men as honest, as straightforward as himself. He had come to a great office untrained in affairs. Men's eyes followed his retreating figure with respect, with veneration, with deep affection, and forgot that he had been duped by politicians; remembered only that he had been the successful leader of the armies of the republic.

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Authorities. All the larger and more systematic histories of the country stop short of times so recent as those covered by this chapter. Neither is it any longer feasible to distinguish general authorities from contemporary accounts. All accounts of a time so recent are contemporary. We have for general guidance Judson S. Landon's Constitutional History and Government of the United States, Alexander Johnston's American Politics, the same author's admirable articles on the several topics here treated of, such as Reconstruction, the Ku Klux, Credit Mobilier, etc., in Lalor's Cyclopaedia of Political Science, Political Economy, and United States History, John Clark Ridpath's popular History of the United States, John W. Burgess's Reconstruction and the Constitution, Edward Channing's Student's History of the United States, Edward Stanwood's History of the Presidency, Appleton's Annual Cyclopaedia, Edward McPherson's Handbook of Politics, issued in biennial volumes, except in 1870, from 1868 to 1894, Scribner's Statistical Atlas of the United States, to 1880, William A. Dunning's Essays on the Civil War and Reconstruction, G. W. Williams's History of the Negro Race in America, W. H. Barnes's History of the Thirty-ninth Congress, Albert Bushnell Hart's Foundations of American Foreign Policy, and many valuable articles scattered through the volumes of the Atlantic Monthly (especially a series on Reconstruction which appeared in 1901), the North American Review, The Forum, The Nation, and the Political Science Quarterly.

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Among the more important memoirs are James G. Blaine's Twenty Years of Congress, S. S. Cox's Three Decades of Federal Legislation, 1855 to 1885, Hugh McCulloch's Men and Measures of Half a Century, John Sherman's Recollections of Forty Years in the House, Senate, and Cabinet, Dabney Herndon Maury's Recollections of a Virginian, Bishop R. H. Wilmer's Recent Past from a Southern Standpoint, Reuben Davis's Recollections of Mississippi and Mississipians, and G. W. Julian's Political Recollections.

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Adam Badeau's Grant in Peace, A. R. Conkling's Life and Letters of Roscoe Conkling, John Bigelow's Life of Samuel J. Tilden, Albert Bushnell Hart's Salmon P. Chase in the American Statesmen Series, and Moorfield Storey's Charles Sumner, in the same Series, cover parts of the period from the point of view of the several men of whom they treat.

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Mr. Hilary A. Herbert's Why the Solid South? and Mr. William Garrott Brown's The Lower South in American History throw a great deal of light upon the time in regard to the affairs and the sentiment of the South; Mr. J. Lawrence Laughlin's History of Bimetallism in the United States and Professor F. IV. Taussig's Silver Situation in the United States and Tariff History of the United States, and Mr. A. S. Bolles's Financial History of the United States, furnish excellent summaries of financial and fiscal conditions; Mr. Carroll D. Wright's Industrial Evolution of the United States sketches the development of industry and invention, and Mr. David A. Wells's Recent Economic Changes the altered economic conditions; Mr. Lauros G. McConachie's Congressional Committees and Miss M. P. Follett's The Speaker of the House of Representatives discuss the transformations of Congress and its relations to public business; and Mr. Henry Jones Ford's Rise and Growth of American Politics affords one of the best philosophical analyses of the general history of parties, party organization, and party control, anywhere to be found.

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The sources are in the Journals of Congress, the Congressional Record, the House and Senate Documents, the Messages and Papers of the Presidents, and the periodical press of the time.

Chapter 2:

Return to Normal Conditions

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WITH the coming in of Mr. Hayes the whole air of politics seemed to change. Democratic critics of the administration were inclined to dwell with a good deal of acidity upon the flagrant inconsistency of the President's course in first using the questionable governments of Louisiana and South Carolina to get his office and then forthwith repudiating them and bringing about their immediate downfall by withdrawing the federal troops upon whose presence and support they relied for their existence; and his friends could urge only that the constitution provides that presidential electors shall be "appointed" by each State "in such manner as the legislature thereof may direct," and that it might with perfect consistency be argued that the legislatures of the southern States could commit to their returning boards the right to choose presidential electors while at the same time maintaining that those boards ought not to be sustained in the virtual selection of state governors and legislatures as well. But, in any case, whether consistent or inconsistent, the President's action had brought grateful peace. Almost at once affairs wore a normal aspect again. The process of reconstruction, at least, had reached its unedifying end, and the hands of political leaders were free to take up the history of the country where it had been broken off in 1861. Instead of the quick, resistless despatch of party measures from session to session by congressional majorities which even the President's veto could not check or defeat, there had come a breathing space in which no party was supreme and the slow and moderate ways of compromise and accommodation were once again vouchsafed the country, at last quite out of breath with the pace to which it had been forced in its affairs. Not for fourteen years, from the elections of 1875 to those of 1889, were either Democrats or Republicans to control both Congress and the Executive. There was leisure from passion; men could look about them deliberately and without excitement and note how the country had changed.

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It was no longer the country of 1861. Sixteen years, mixed of war which forced industry to a quick, almost abnormal development and of peace that came like a release of energies cramped, pent up, uneasy, had brought something like an industrial revolution with them. The South was of a sudden added as a modern economic force to the nation. Her old system of labor, which had shut her in to a virtual isolation, was destroyed; she was open at last to the labor of the world and was to enter with all her resources the industrial life from which she had so long held off. The great Appalachian region which stretched its mighty highlands from Pennsylvania through Maryland, the Virginias, Kentucky, Tennessee, and the Carolinas full seven hundred miles into Alabama and Georgia, and which spread its broad surfaces of mountain, valley, and plateau one hundred and fifty miles by the way upon either hand, geologists knew to be an almost unbroken coal field, it might be thirty nine thousand square miles in area. Upon its skirts and in the broken country to the east and west of it iron also abounded, and mineral deposits which no man had looked into. The world still needed the southern cotton and tobacco, and before the first crude processes of reconstruction were over the cotton fields were once more producing almost as much as they had yielded in 1860, the year of greatest abundance ere the war came on,—so readily had free labor taken the place of slave. The industrial development of the South had been joined to that of the rest of the country, and for the first time since the modern industrial age set in capitalists turned to her for investment and the enterprises that bring wealth and power.

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And what was for the South as yet but an exciting prospect and confident hope was for the North already a reality. The war had been a supreme test of economic vitality, and the States of the North and West had emerged from it stronger than they went into it. Almost every industry that yielded the necessaries of modern life and action had felt and responded to its quickening compulsion; and when peace came manufacturers but looked about them for wider markets, better and cheaper processes, a broader scope of operation. Artificial stimulation in the shape of heavy tariff duties had been added to the natural stimulation of the time and of the rapid and healthy growth of the nation. Congress had taxed almost every article of use in the country to support the war, and had added to the innumerable direct taxes which it imposed an enormously expanded system of duties on imports. It had done so in part to offset the direct taxes, to enable the manufacturers, who had to pay large sums to the government on the articles they made, to keep the market nevertheless against the importers; but it had made the duties much higher than that consideration taken alone made necessary. It had raised them to a point that made profit, very great profit, certain to accrue to the manufacturer. No considerable body of manufacturers asked for such "protection" that did not get it, and as much of it as they asked for, though it reduced the revenues of the government to grant it. Hardly a month went by while the war lasted that Congress did not add a new duty or increase an old one, and every industry was nursed to make the most of itself in the home markets, until its undisputed monopoly there as against foreign manufactures gave it wide margins of profit of which to avail itself in underselling competitors in the markets of the world.

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The country got visible proof of its extraordinary material progress at its Centennial Exhibition in Philadelphia. The last year of General Grant's presidency was the centennial year of the independence of the United States, and the anniversary was celebrated by a great international industrial exposition at the city of Philadelphia, where the Congress had sat which took counsel for the young republic at its birth. All the greater commercial and industrial nations were represented in its exhibits. Foreign governments responded very promptly to the invitation to lend their aid in securing its success, among the rest the government of Great Britain, whose defeat in arms the great fair was meant to celebrate. The presence of her official commissioners made it a festival of reconciliation. America's own bitter war of civil revolution also was over, and a time of healing at hand. The thronging crowds at Philadelphia, the gay and spacious buildings, the peaceable power of the world's workmen exhibited upon every hand spoke of good will and the brotherhood of nations, where there was no rivalry but the rivalry to serve and to enrich mankind.

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It was significant for America that objects of beauty marked everywhere among those exhibits the refinement and the ennobling art of the world. Throughout all the long hundred years in which they had been building a nation Americans had shown themselves children of utility, not of art. Beauty they had neglected. Everything they used showed only the plain, unstudied lines of practical serviceability. Grace was not in their thought, but efficiency. The very houses they built, whether for homes or for use in their business, showed how little thought they gave to the satisfaction of the eye. Their homes were for the most part of wood and the perishable material hardly justified costly ornament or elaborate design; and yet the men of the colonial time, keeping still some of the taste of an older world, had given even their simple frame dwellings a certain grace and dignity of line, and here and there a detail, about some doorway or the columns of a stately porch, which rewarded the eye. Builders of the later time had forgotten the elder canons of taste and built without artistic perception of form even when they built elaborately and at great cost. The same plainness, the same hard lines of mere serviceability were to be seen in almost everything the country made. The things to be seen at Philadelphia, gathered from all the world, awakened it to a new sense of form and beauty. Foreign governments had generously sent priceless works of painting and sculpture over sea to give distinction to the galleries of the Exhibition. Private citizens and local museums also had freely loaned their chief art treasures. Everywhere there was some touch of beauty, some suggested grace of form. Visitors poured by the million across the grounds and through the buildings of the Exhibition, out of every State and region of the country, and the impressions they received were never wholly obliterated. Men and women of all sorts, common and gentle alike, had from that day a keener sense of what was fitted to please the eye. The pride of life and of great success that came with the vision of national wealth and boundless resources to be got from the countless exhibits of farm and factory had in it also some touch of corrected taste, some impulse of suitable adornment. Men knew afterwards that that had been the dawn of an artistic renaissance in America which was to put her architects and artists alongside the modern masters of beauty and redeem the life of her people from its ugly severity.

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That great fair might also serve to mark the shifting stress of the nation's life. Its emphasis was henceforth, for at least a generation, to rest on economic, not upon political or constitutional, questions. The changing character of public affairs had been indicated as early as the presidential campaign of 1872. That campaign had witnessed not only the emergence of the "Liberal Republican" party, made up upon the questions of political amnesty and a thorough reform of the civil-service of the government, but also the creation of a "Labor Reform" party whose programme said little or nothing of the ordinary political issues of the day and spoke mainly of the relations of capital and labor, of the legal limitation of the hours of daily work, of the need of a currency which should render the people less subject to the power of the banks, of the control of the railways and the telegraph lines by the federal government, of the disposal of the public lands. The convention of the new party had been made up chiefly of trades union bosses and political free lances, but it had brought delegates together out of seventeen States and was an unmistakable sign of the times. The workingmen of the country were about to bestir themselves to make their power felt in the choices of government and law. In 1876 an "Independent National" party came upon the field, to make the issue of legal tender notes by the government, in place alike of gold and of silver, the chief point of its protest against the programmes of the two regular parties. To the country it was known as the "Greenback" party. The notes which it demanded should be issued were to be practically irredeemable, being convertible, not into gold or silver, but "into United States obligations merely." It was practically repeating the demand of the Labor Reform party of four years before for "a purely national circulating medium, based on the faith and resources of the nation, and issued directly to the people without the intervention of any system of banking corporations," in order that there might be established "a just standard of the distribution of capital and labor."

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On all hands there was manifest a growing uneasiness because of the apparent rise of monopolies and the concentration of capital in the hands of comparatively small groups of men who seemed to be in a position to control at their pleasure the productive industries of the country; because of the power of the railways to determine by discriminating rates what sections of the country, what industries, what sorts of products and of manufactures should be accorded the easiest access to the markets; because of the increase in the cost of the necessary tools of industry and of all manufactured goods through the operation of the tariff,—the inequitable clogs which seemed to many to be put by the law itself upon the free and wholesome rivalries of commerce and production. The farmers of the West and South, no less than the workingmen of the industrial East, had begun, close upon the heels of the war, to organize themselves for the protection and advancement of their own special interests, to which the programmes of the political parties paid little heed. Between 1872 and 1875 the local "granges" of a secret order known as the Patrons of Industry had multiplied in a very significant manner, until their membership rose to quite a million and a half and was spread over almost the entire Union. It was the purpose of the order to promote by every proper means the interests of the farmers of the country, though it was no part of its plan to agitate questions of politics, put candidates for office into the field at elections, or use its gathering power to determine the fate of parties. Politicians, nevertheless, found means to use it,—felt obliged to use it because they feared to let it act for itself. Its discussions turned often on questions of transportation, upon the railways and their power to make or ruin; it was but a short step in such a field from an association for mutual protection and advice to a political party organized for the control of legislation.

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"Grangers" were not always to be held off, therefore, by their prudent leaders from using their numbers and their ready concert of action to further or defeat the ambitions of particular groups of politicians; and even while their granges grew other organizations of farmers came into existence whose aims were frankly and openly political. About the time of Mr. Hayes's accession to the presidency independent associations began to make their appearance in the South and in the West, under the name of the "Farmers' Alliance," whose common object it was to oppose monopoly and the power of money in public affairs in the interest of those who had neither the use of capital nor the protection of tariffs. The first "Alliance" made its appearance in Texas, to prevent the wholesale purchase of the public lands of the State by private individuals. The organization spread into other southern States, and with its extension went also an enlargement of its programme of reform. Almost at the same time a "National Farmers' Alliance" was established in Illinois which quickly extended its organization into Wisconsin, Minnesota, Iowa, Kansas, and Dakota. Many sorts of reform commended themselves to the leaders of the movement, north and south: chief among them, government control of the means of transportation, the entire divorce of the government from the banks, and a paper currency issued directly to the people on the security of their land,—some escape from the power of the money lenders and of the great railways, and a war upon monopolies. These were vague purposes, and the means of reform proposed showed the thinking of crude and ignorant minds; but politicians felt with evident concern that new, it might be incontrollable, forces had begun to play through the matters they handled, and that it must presently be harder than ever to calculate the fortunes of parties at the polls. They perceived how difficult and delicate a task it must prove to keep the tacit pledges of the protective system to the manufacturers and give the free capital of the country the proper support of government and yet satisfy the classes now astir in these new associations of laborers and farmers, whose distress was as real as their programmes of reform were visionary.

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There was a significance in these new movements which did not lie upon the surface. New questions had become national and were being uncomfortably pressed upon the attention of national party leaders because the attitude of the country towards the national government had been subtly changed by the events of war and reconstruction. The war had not merely roused the spirit of nationality, until then but half conscious, into vivid life and filled every country-side of the North and West with a new ardor for that government which was greater than the government of States, the government upon which the unity and prestige of the nation itself depended. It had also disclosed the real foundations of the Union; had shown them to be laid, not in the constitution, its mere formal structure, but upon deep beds of conviction and sentiment. It was not a theory of lawyers that had won when the southern Confederacy was crushed, but the passionate beliefs of an efficient majority of the nation, to whom the constitution was but a partial expression of the ideals which underlay their common life. While the war lasted the forms of the constitution had been with difficulty observed, had, indeed, again and again given way that the whole force of the nation might run straight and unimpeded to meet the exigencies of the portentous struggle. Mr. Lincoln had wielded an authority known to none of his predecessors. There had been moments when it seemed almost as if all constitutional rules were suspended and law superseded by force in order that the contest for nationality might not halt or be hindered. And when the war was over the process of reconstruction showed the same method and temper. No scrupulous care was taken to square what was done in the South with the law of the constitution. The will of Congress operated there like that of all absolute parliament, even while the lawyers of the houses who supported the measures of reconstruction were protesting that the States they were handling like provinces were still members of the Union. The internal affairs of the humbled States were altered at the pleasure of the congressional leaders, and yet it was said that they had not been put forth from the pale of the constitution.

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It was inevitable that the whole spirit of affairs should be profoundly affected by such events. A revolution had been wrought in the consciousness and point of view of the nation. Parts had shifted and the air had changed. Conceptions were radically altered with regard to Congress, with regard to the guiding and compulsive efficacy of national legislation and the relation of the life of the land to the supremacy of the federal law-making body. A government which had been in its whole spirit federal had, almost of a sudden, become national, alike in method and in point of view. The national spirit which the war had aroused to bring this about had long been a-making. Many a silent force which grew quite unobserved from generation to generation, in quiet times of wholesome peace and mere increase of nature, had been slowly breeding the thoughts which had now sprung so vividly into consciousness. The very growth of the nation, the very lapse of time and uninterrupted habit of united action, the mere mixture and movement and distribution of populations, the mere accretions of policy, the mere consolidation of interests, had been building and strengthening new tissue of nationality the years through, and drawing links stronger than links of steel about the invisible Tody of common thought and purpose which is the substance of nations. When the great crisis of secession came men knew at once how their spirits were ruled, men of the South as well as men of the North,—in what institutions, in what conceptions of government their blood was fixed to run; and a great and instant readjustment took place, which was for the South, the minority, practically the readjustment of conquest and fundamental revolution, but which was for the North nothing more than an awakening.

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There had been no constitutional forms for such a business. For several years, consequently, Congress had been permitted to do by statute what, under the older conceptions of the federal law, could properly be done only by constitutional amendment. The necessity for that gone by, it was suffered to embody in the constitution what it had already enacted and put into operation as law, not by the free will of the country at large, but by the compulsions of mere force exercised upon a minority whose assent was necessary to the formal completion of its policy. The result restored, practically entire, the forms of the constitution; but not before new methods and irregular, the methods of majorities but not the methods of law, had been openly learned and practised, and learned in a way not likely to be forgotten. It was not merely the economic changes of a new age, therefore, that inclined laborers and farmers to make programmes of reform which they purposed to carry out through the instrumentality of Congress; it was also this new conception of the supremacy of the federal law-making body, of the potency of all legislation enacted at Washington. The country was turning thither for all sorts of relief, for assistance in all parts of its life.

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And yet other changes had come upon the government at Washington which rendered it a less serviceable instrument of use than it had once been. Nothing had become more emphasized during the reconstruction period than the virtual supremacy of the houses over the President in all matters outside the field of war and foreign affairs,—in foreign affairs even, when they chose. No President since General Jackson had been the real leader of his party until Lincoln; and Lincoln's term had made no permanent difference in the practices established since Jackson's day. It had been a time apart. In war the Executive was of course at the front of affairs; Congress but sustained it in the conduct of exigent business which, in the very nature of the case, it could not itself undertake. Parties, too, were silent; the nation had put ordinary questions of policy aside. No man could say how Mr. Lincoln might have ruled the counsels of his party in times of quiet peace. With Mr. Johnson in the presidency, Congress and the Executive had swung violently apart. General Grant had not brought them together. He was no party man and no statesman, had been bred to affairs of another kind, let constructive suggestion alone, made no pretence of political leadership. Under the strong will of Mr. Thaddeus Stevens a real primacy in affairs had been created for the men who led upon the floor of the houses, and old tendencies had been confirmed.

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During the first days of the government, while the old order held and English traditions were still strong, the President had been the central figure in affairs,—partly because delicate questions of foreign policy pressed constantly for solution, partly because the early Presidents were chosen from the ranks of actual party leaders, because of their influence with public men, their hold upon opinion, and their experience in public business. Their messages were of the first consequence in the guidance of legislation and the formation of opinion out-of-doors; their spokesmen and friends usually spoke for the President's party as well as for the President himself on the floor of Congress. Even then, however, there had been signs of a new order coming in. Neither the President nor the members of his cabinet had had access to the floor of Congress since Mr. Jefferson decided not to meet the houses in person, as his predecessors had done. It was the theory of constitutional lawyers that Congress and the Executive were meant to be sharply separated and distinguished in function, in order that each might check and balance the other in ideal accordance with the principles of M. Montesquieu; and there were oftentimes men in the houses whose gifts and impulse of initiative were greater, more efficient, more serviceable than the President's. Mr. Clay had been notable among such men. While he was Speaker of the House of Representatives it became evident that the speakership could easily be made the chief place of power in the management of parties; and so long as he remained in Congress the whole country knew that he, and no President the Whigs were likely to elect, must be the real leader of his party.

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That General Jackson dictated the policy of the Democrats while he was President all the world perceived; but his successors were not men of his stamp. Affairs, moreover, were presently turned from their normal course by the extraordinary pressure of the slavery question. Upon that perplexing matter, so disputable, so full of heat, apparently so impossible of definitive settlement, always holding a crisis at its heart, parties made no confident stand. Definite leadership seemed out of the question, until Mr. Douglas came and brought a revolution on. All things waited upon the slow movement of moral, social, economic forces, upon the migrations of population, upon the insensible shiftings of sentiment, upon change and circumstance. Not until the war came, with issues which needed no definition at the hands of the politician, with tasks which called, not for debate, but for concentration and energy, did the organization of party power in Congress take the shape it was to keep through the next generation, the new generation which should conduct the war to its close and then attempt to set the policies of peace afoot again. Then, with Congress purged of the southern Democrats and all organized opposition cleared away, the Republican leaders equipped Congress for effective mastery. The Senate, indeed, kept its leisurely rules, still chose its committees by ballot, and declined to put itself under the whip of rigid party discipline as the House did, which seemed to regard itself as meant to be an administrative, not a deliberative body. The House put itself into the hands of its leaders for action Its leaders were the chairmen of its principal standing committees and its Speaker. The Speaker appointed the committees. In determining the membership of those which were to handle the chief matters of its business he could determine also the policy they were to urge upon the House. For the House put itself very absolutely into the hands of its committees. Individual initiative told for little against them.

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The first Speaker of the war time, Mr. Galusha Grow, of Pennsylvania, was a man cast for the role of leader, quick, aggressive, confident alike in opinion and in purpose, a thorough partisan, and yet honest and open and ready for responsibility, a man who would use the committees for mastery; and Mr. Schuyler Colfax, who succeeded him, in the second Congress of the war time, was equally well qualified to keep the management of the House in hand, his good nature and easy tact being as influential as his confident initiative in keeping legislation to the paths he had marked out. Both men acted in close cooperation with Mr. Stevens and the other chief masters of the majority upon the floor. The conferences of a few men decided always what the composition of committees should be, the course of legislative action, the time and part allotted to debate. The necessity for action was constantly pressing upon Congress throughout those anxious years; no man ventured to stand long in the way of the public business; and by the time the war was over the House had been converted into a most efficient instrument of party rule. Mr. Johnson learned what its mastery was, how spirited, how irresistible; General Grant looked to its leaders for initiative in affairs. The Speaker and the little group of party managers drawn about him for counsel were henceforth to be in no small part the framers of the policy of the government.

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The change was for a long time not observed by the country at large, because the two parties offset each other in the houses and neither could take entire command of affairs. For fourteen years (1876-1890) neither party during any one session controlled both the houses and the presidency, except for a brief space of two years (1881-1883) when the Republicans, with a Republican President in the chair, had, by the use of the Vice President's casting vote in the Senate, a majority of a single vote in each house. So scant a margin was not a margin of power, and the Speaker happened for the nonce to be of the older type, not cast for leadership.

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That long deadlock of the houses was of much more serious consequence than the mere postponement of a full application of the new methods of party leadership and legislative management. So long as it lasted no change could be made in the laws passed in support of Republican supremacy and negro suffrage in the South. The country had turned away from the Republicans, as the elections to the House showed afresh every two years, but the majority of the nation and the majority of the States were by no means one and the same, and, the Senate came only for a little while into the hands of the Democrats, while a Republican President was in the chair. Democratic majorities, accordingly, did not avail to repeal the "Force Acts" and the federal law for the supervision of elections which put the southern political leaders in danger of the federal courts and kept men of the President's appointment at the polls in the South to act in behalf of the negroes and the Republican managers. Though the white men of the South were at last in control of their state governments, federal law still held them off from excluding negroes from the exercise of the suffrage by any fair or open method which should set aside without breach of law what reconstruction had done. They were driven, if the incubus of that ignorant and hostile vote was to be lifted from, their affairs, to resort to covert, tricky, fraudulent means which brought their own deep demoralization.

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Every device known to politicians, every plan that could be hit upon that politicians had never before been driven to resort to, was made use of to reduce or nullify the negro vote. It was a great advantage to the men who had regained their power in the South that the whole machinery of elections, at least, was again in their hands. They had never before made such use of it. The older traditions that surrounded the use of the ballot in the South were of the most honorable sort. But the poison of the reconstruction system had done its work,—no man any longer found it hard to learn methods of mastery which were not the methods of law or honor or fair play. The new election officers found many excuses for rejecting or ignoring the negroes' voting papers. Voting places were often fixed at points so remote from the centres of population that only a small proportion of the negroes could reach them during the hours for voting; or were changed without notice so that only the white voters who had been informed could find them readily. In some cases separate ballot boxes were used for the several offices to be filled at the elections, so lettered that the illiterate negroes distinguished them with difficulty and so shifted in their order from time to time that the sequence in which they stood was constantly being changed, and no vote was counted which was not put into the right box. In districts where the negroes mustered in unusual numbers too few voting places were provided, and the voters were prevented from casting their ballots rapidly by premeditated delays of all sorts, so that the full vote of the district could not be cast.

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The southern legislatures hastened to adopt the device long ago originated by Mr. Gerry, of Massachusetts, and so divided the voting districts of the States as to segregate the negroes within a few districts, whimsically drawn upon the map in such a way as to seek out and include the regions in which they were chiefly massed. The "shoe-string district" contrived by the law-makers of Mississippi, which ran its devious way across the State for three hundred miles with a width of but twenty, became known the country over as a type of what was being done to cut the negroes off from political power in the South. Where such shifts and expedients failed of their desired result or could not be made use of actual fraud was practised. The less scrupulous partisans of the white party managers folded tissue ballots within their regular voting papers and overcame the negro majority by multiple voting. Dissuasion, too, and all the less noticeable means of intimidation, played their quiet part the while in keeping the negroes away from the polls, and the negro vote fell off by the thousand. There was presently nothing left of the one-time party organization of the Republicans in the South except that the federal office holders appointed by Republican Presidents still essayed to play an influential part among the negroes, and hold them to their party allegiance.

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Slowly cases tried under the various Enforcement Acts which had been meant to secure the negroes against interference and intimidation in the exercise of their civil rights crept up, by appeal, to the Supreme Court of the United States and began one by one to be reached on its interminable docket; and in each case the court declared the powers Congress had assumed in those Acts clearly incompatible with the constitution. The right of the negroes to assemble and to bear arms, for example, which Congress had sought to protect and which southern white men had repeatedly interfered with, was a right which they enjoyed, the court declared, as citizens of the States, not as citizens of the United States, and it was not competent for Congress or the federal courts to punish individuals who interfered with it. The power conferred upon Congress by the Thirteenth, Fourteenth, and Fifteenth Amendments, to secure the negroes equality of civil rights with the whites, was, it decided, a power given to be exercised in restraint of the States, not against individuals, as the Act against the "conspiracies" of the Ku Klux had used it, and the States, not the federal government, must punish those who sought to destroy that equality. The legislation which General Grant had put so energetically into execution was unconstitutional and void. But it was 1882 before that sweeping conclusion was reached; the Acts had been executed long ago and their consequences were complete. Only the thought of constitutional lawyers and the course to be pursued by the federal government for the future were cleared by the belated decisions.

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More and more the attention of the country, and even of politicians, was being drawn away from the South to the forces of change which were playing through the whole nation, to the determination alike of policy and of party fortunes. The four years of Mr. Hayes's term in the presidency, with their restful discontinuance of party legislation, afforded not only a time of calm in which thoughtful men could look about them, but also a clear stage upon which it quickly became evident that new scenes were being set. It was significant that the first summer of Mr. Hayes's reign of peace was marked by labor disturbances of a magnitude and difficulty hitherto unknown in America. On the 14th of July, 1877, strikes began among the employees of the Baltimore and Ohio, the Pennsylvania, the Erie, and the New York Central railways, the chief trunk lines between East and West, which for a time assumed almost the proportions of an armed insurrection. Thousands of miners at the coal mines of Pennsylvania left their work along with the railway men, until there were presently, it might be, a hundred thousand men not only idle but bent upon mischief also, determined to hold the business of the railways at a standstill and prevent at all hazards the employment of others in their places. Not until troops of the United States had been called out to aid the militia of the States was order restored and the property of the railway companies secured against pillage and destruction. Railway traffic had been held still in a sort of paralysis for two long weeks; property whose value ws estimated at ten million dollars had been destroyed; and the country had been given a startling demonstration of the power of the labor organizations.

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Such outbreaks were undoubtedly a sign of the times and showed very plainly the new, unregulated economic forces which were in a future near at hand to exercise a potent influence on politics and the plans of parties. But they were at least gross, tangible, susceptible of being handled by counter force and sheer authority. There were subtler economic forces than these at work, harder to handle, more to be feared. Ideas were rapidly gaining ground in the ranks of all parties which seemed likely, if unchecked, to break party lines athwart in novel confusion and turn the government away from some of its oldest, best established lines of policy. They chiefly concerned the currency. Congress had met the extraordinary expenses of the war by measures which had in fact revolutionized the traditional financial policy of the government. Taxes had not yielded enough, loans could not be had fast enough, and early In 1862 it had begun the issue of notes from the Treasury of the United States which were for the time irredeemable, but which were nevertheless made legal tender in the payment of debts. Late in 1861 (December 28th) the banks of the country had suspended specie payments. The paper of the government became almost the only currency, and its bulk rose steadily from million to million. War and the depreciation of the currency brought in their train an inflation of prices. Farmers had been getting little profit from their crops when the war began. The cost of transporting them to market over the railways had lifted the cost of their production quite to the level of what the merchants would give for them. Many planters used their corn for fuel. But the war made grain exceedingly valuable. The purchases of the government alone changed the whole face of the market. Money was once more easy to get, the paper money of the Treasury, and could be used at its face value as well as gold itself to pay the mortgages off which the older time of stress had piled up. The "greenbacks" of the government became for the agricultural regions of the North and West a symbol of prosperity.

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Conservative constitutional lawyers had doubted from the first the legality of these issues. Every serious student of the times in which the constitution had been framed, and of the dominant motives of its framers, was convinced that one of the chief objects of the statesmen who led the convention of 1787 had been to put government in America once for all upon a solid footing of sound financial policy. The constitution explicitly forbade the issue of paper money by the States, and the right to issue it was not to be found among the enumerated powers granted to Congress. It was known to have been intentionally omitted; and in 1869 the Supreme Court had decided that the treasury issues of the war time were, as legal tender, unconstitutional and void. For a little while it had looked as if the law of the constitution was to be made a permanent bar to financial experiment. But the decision of the court had been reached by only a single vote, changes in its personnel occurred almost immediately, and in 1870 the decision was reversed. Congress was at liberty to make what experiments it pleased.

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Thoughtful public men saw, nevertheless, that the business interests of the country rendered it imperative that by statute, if not by constitutional compulsion, specie payments should be resumed by the government, the redundant currency of the country contracted, and money transactions put once more upon foundations that would hold fast. Gold had been made the single standard of value in the United States by an Act of Congress passed in 1853. That Act had said nothing about the silver dollar of the earlier coinage, because it had in fact passed out of circulation. The Act of 1873 had simply recognized that fact and dropped the 412 1/2 grain silver dollar from the list of coins. An Act of January 14, 1875, had provided for the resumption of specie payments by the government on the 1st of January, 1879. Every promise of the government was on and after that date to be redeemable in gold. By 1876 an extraordinary fall had taken place in the value of silver. It had been coming in augmented quantities from the mines; Germany and even the states of the Latin Union, associated by treaty for the express purpose of maintaining a stable ratio between gold and silver in their exchanges, had suspended the coinage of silver; the demand for it had greatly fallen off at the very time that its quantity had increased, and the price of silver bullion fell as it had never fallen before. The real functions of money, the real laws of its value, the real standards of its serviceability, its real relations to trade and to industry have always been hidden from the minds of men whose thought in such matters has not been trained by the actual experiences of the open markets of the world, in actual exchange, or in the actual direction of the financial operations of governments. The coincidence of high prices and eager markets with floods of paper poured from the Treasury of the United States, coupled with the indisputable fact that the return to slacker demand, lower prices, and a greater scarcity of money had been accompanied by a considerable contraction of the redundant currency and by laws which were soon to bring about a return to specie payments, a turning back from "cheap" money to "dear," confused the thinking even of some men who had long been in contact with public affairs; and those who could not go quite the length of the "Greenbackers" turned to silver for relief.

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Gold was not abundant enough, they said, to serve as the sole basis of the country's expanding business, get the farmers' crops to market, or settle the varied balances of trade. Silver was both cheaper and more abundant. The obligations of the United States had been made payable "in coin"; why must they be paid in the dearest of coins? Why could they not be paid in the old silver dollar of 412 1/2 grains, until 1873 the undisputed standard silver dollar of the national coin age? It was in part the suggestion of the owners of the silver mines of Colorado and Nevada, no doubt, who had influential spokesmen in Congress; but they alone could have created no determining opinion in the matter. The real force of the sentiment came from the uneasy economic conditions of the country. The farmers found themselves at the mercy of the railways in getting their crops to market; prices had fallen; money was not easy to get as it had happened to be when abundant issues of paper came pouring every month from the government's treasury; the gold which Congress had sought to make the sole basis of the country's business was in the hands of the great eastern bankers; the railways were in the hands of the capitalists of the East, whom the bankers served. If the bankers set themselves against every proposition to provide an irredeemable paper currency again or even a fresh coinage of silver, there was the more reason to believe that paper or silver was the only real "people's" money. The sentiment grew within Congress and without and concentrated itself upon the question of a silver coinage. Reason had not established it and reason could not check or dislodge it. It took hold upon Republicans and Democrats alike, and within a year of Mr. Hayes's accession to the presidency had won majorities in both houses which were large enough to override the President's veto.

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Mr. Bland, of Missouri, introduced in the House a bill which provided for the free and unlimited coinage of silver into standard dollars of 412 1/2 grains at the mints of the United States at the pleasure of those who presented silver bullion which they wished so converted. The finance committee of the Senate, under the leadership of Senator Allison, of Iowa, when the bill reached them, substituted for it a measure which provided for the monthly purchase by the Treasury of not less than two million dollars' worth of silver bullion and its coinage into standard silver dollars which should be legal tender, without restriction of amount, in the payment of all debts. The Secretary of the Treasury was authorized at his discretion to expend as much as four millions monthly for the purpose. The House accepted the measure which Mr. Allison's committee had substituted for its own. Mr. Hayes vetoed it, but the houses passed it over his veto, February 28, 1878. The majority for it was as decisive in the Republican Senate as in the Democratic House. Specie payments were resumed on the 1st of January, 1879, as the Act of 1875 directed, but silver had been added to gold. The Secretary of the Treasury made his purchases of silver bullion at its market value in gold, of course; its price fell in spite of the Bland Allison Act, because it was governed, as every man of experience in such matters knew it must be, by influences as wide as the markets of the world; and the monthly coinage steadily yielded more than two million coined dollars of the fineness prescribed by Congress, though the Secretary of the Treasury confined himself always to the expenditure of the minimum sum fixed by the Act. Not many of the coined dollars themselves got into the currents of trade. The Act had authorized the Secretary to issue certificates in their place to those who did not wish the actual silver, and the coins steadily accumulated in the vaults of the Treasury, some thirty millions a year.

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This was the only legislation of importance, apart from the routine business of the government, that a Republican Senate and a Democratic House could agree upon. All party purposes of necessity stood in abeyance. Mr. Hayes had as little political authority as Mr. Johnson had had. He had been chosen, as Mr. Franklin Pierce had been twenty-five years before, from outside the ranks of the authoritative leaders of his party. He had no real hold upon the country. His amiable character, his lack of party heat, his conciliatory attitude towards the South alienated rather than attracted the members of his party in Congress. They had been accustomed to see the fight forced for coercion and supremacy in the South, as for the execution of every other party purpose, and the zest for strong measures was still upon them. The President, besides, would not listen to them in matters of appointment to office, as General Grant had listened, to his undoing, but went calmly about to have his own way in dispensing the patronage. The Democrats did not like him because he seemed to them incapable of frank, consistent action. He withdrew the troops from the southern States to let politics there take their normal course, and yet he appointed the one-time members of the discredited returning boards to federal offices, as if to console them for their loss of power. He was not aggressive enough to draw a party of his own about him, and yet he had a character too firm, too self-respecting, too deeply touched with a sense of individual responsibility to accept advice which his own judgment did not approve. He went his own course and kept affairs at their quiet poise, awaiting a change of weather. The second Congress of his term was Democratic in both branches and made trial of every expedient known to parliamentary strategy to force upon him a repeal of the statutes which gave federal supervisors and marshals powers of oversight and arrest at the southern polls; but the President was too stout a partisan to consent and stood fast against them. All things stood as they were until the elections should come again.

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Mr. Hayes was not nominated for a second term. Determined efforts were made in the Republican nominating convention, which met June 5, 1880, at Chicago, to nominate General Grant again and return to the party's old regime; but they were defeated, and Mr. James A. Garfield, of Ohio, was named as the party's new candidate for the presidency, Mr. Chester A. Arthur, of New York, as its candidate for the vice presidency. Neither of the candidates could claim especial eminence. Mr. Garfield had won high rank and enviable distinction as an officer of volunteers in the war, had become a member of the House when the struggle had but just passed its central crisis at Gettysburg, and had served continuously there until chosen a senator of the United States in the very year of his nomination for the presidency, without making himself felt except for his attractive personality, his serviceable confidence and courage as a parliamentary leader, and his power as an orator. But he stood within the intimate counsels of his party as Mr. Hayes did not. Mr. Arthur had been collector of the port of New York, but had stood for the most part aside from national politics, a lawyer and managing servant of his party within the State rather than a conspicuous figure in its general counsels. They were not men to catch the enthusiasm of the country. But the party that was back of them had gathered again some of its old momentum; the Democrats had no policy to propose which seemed vital or of the new age that had come in, and presented as their candidates only an attractive soldier, General Winfield Scott Hancock, and Mr. William H. English, a successful business man of Indiana, who had been no politician since Kansas was admitted to the Union. Though the Democratic voters mustered strong at every polling place and fell but a little more than nine thousand behind the Republicans in a total vote of more than nine millions, they carried no States north, of Mason and Dixon's line except New Jersey, Maryland, California, and Nevada, and Mr. Garfield was chosen President by a majority of fifty-nine in the electoral college (214-155).

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The only note of new questions sounded in the campaign came from the convention of the "Greenback-Labor Party," in which reformers of the more radical sort had united. It had declared, turning to what seemed for the moment the chief question of the day, that "all money, whether metallic or paper, should be issued and its volume controlled by the government, and not by or through banking corporations, and, when so issued, should be full legal tender for all debts, public and private." It had demanded that the greenback notes of the war time "should be substituted for the notes of the national banks, the national banking system abolished, and the unlimited coinage of silver, as well as gold, established by law." But for the present the country preferred to make choice, not among new parties, but between the old, which it knew, and the programme of the new party got but a few more than three hundred thousand votes out of the nine millions cast. The Democrats not only failed to get the presidency but also lost their majorities both in the House and in the Senate, though by a margin so slender that the Republicans were to find that they could make little confident or aggressive use of their advantage.

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The transition from Mr. Hayes to Mr. Garfield seemed but a natural exchange of a man who did not lead for a man who had a real hold on the affections and the allegiance of his party and could stand at its front to make policy; but it had scarcely been made when the air seemed to fill with ominous signs of sinister disquiet. The poisonous influences which had long been gathering about the system of appointments to office, the spirit of intrigue and of personal aggrandizement, the insistent scheming and dictation of members of the houses to force their preferences and the arguments of their private interest upon the acceptance of the President, the brazen, indecent clamor of the meaner sort of partisans for preferment, seemed of a sudden to work with fatal violence upon affairs. Mr. Garfield asserted a will of his own in the matter, and the two senators from New York, Mr. Roscoe Conkling and Mr. Thomas Collier Platt, resigned their seats, as if upon some weighty quarrel in matters of state, because he would not heed their wishes and choose their nominee In naming a collector for the port of New York. Office seekers swarmed about the President with quite unwonted arrogance, and before he had been four months in his uneasy place of authority one of the crowding throng whom he had disappointed wreaked foul vengeance upon him. On the morning of the 2d of July, 1881, as he passed through a railway station at Washington on his way to the seaside to seek a much needed respite from the harassments of those first months of bitter wrangle and discord, he was shot by Charles Jules Guiteau, a man maddened by disappointed vanity because he had not obtained the office he sought. For eighty days the President lingered between life and death, but death conquered, and on the 19th of September the end came. On the 20th Mr. Arthur took the oath as President.

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Thoughtful men had looked about them, the while, to see what this new and sinister thing meant. Some part of its explanation lay upon the surface. It might, no doubt, fairly be ascribed, in part at least, to the sharp factional split that had shown itself in the Republican ranks in the convention which had nominated Mr. Garfield. The "stalwarts" of the party, whom Mr. Conkling had led, and who had fought desperately in the convention to secure the renomination of General Grant, were of the older temper of the party, had hated Mr. Hayes very cordially for his mildness and lack of partisan vigor, and were bent upon carrying Republicans back to the methods which others saw had discredited them in their day of power. They had been defeated by the "halfbreeds" of the convention, as they contemptuously designated their opponents within the party, and Mr. Garfield was in their eyes the representative of the halfbreeds. Mr. Conkling had supported him in the campaign, despite his feeling of personal defeat, and Mr. Conkling's friends felt sure that his eloquence and personal influence had availed as nothing else could have availed to keep the State of New York to its allegiance to the Republicans in the election. His generosity in that matter they deemed worthy of reward. But Mr. Garfield would yield him no special consideration; and, because the President held himself resolutely at a balance as between faction and faction in his use of the patronage and pointedly ignored the wish of the stalwarts in his appointment to the collectorship of the port of New York, Mr. Conkling had flung out of the Senate and appealed to the legislature of New York for reelection, as a demonstration of power against the President. He had failed. The legislature would not so rebuke the President. But factional bitterness had been wrought to the highest pitch, and the tragedy of the President's death seemed to the country an object lesson in its consequences.

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The attention of the country was fixed at last, with painful intensity of interest, upon the character and influence of the civil service. Not a little of the true nature of the existing system of appointments to office had been laid bare by Mr. Conkling's extraordinary act of self-assertion. The use of appointments as rewards for party services did not, it seemed, bind partisans together, after all, as the advocates of the spoils system claimed, or compact and discipline parties for aggressive and successful action. Worked out through its detail of local bosses, senatorial and congressional "influence," personal favors, the placating of enemies and the full satisfaction of friends, it must always menace the successful party itself with factional disruption. Guiteau, the assassin, had said that he fired his shots for the "stalwarts," that Mr. Arthur, their friend, might be President; and those murderous shots still rang In the ear of the country like a startling confirmation of all that the advocates of civil service reform had said. Congressmen saw opinion at last set steadily, irresistibly towards radical measures of reformation, with a force and certainty it had never shown before, and Democrats and Republicans found one more question upon which opinion beating upon them as it did, they must agree. In August, 1881, while the President lay dying, various local associations which had been formed to agitate the question of the reform of the civil service were drawn together, in a meeting held at Newport, Rhode Island, into a National Civil Service Reform League, whose first act was to express its hearty approbation of a bill for the reform of the service which Mr. Pendleton, of Ohio, had introduced the preceding year in the Senate.

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The bill would no doubt have lain almost unnoticed on the docket of the Senate had not Mr. Conkling's arrogance and Guiteau's madness of bitter passion disposed all the country to consider what must be done. Mr. Pendleton was a Democrat, but he spoke only for himself and for other men of like conviction in the matter, not for his party, in the bill in which he proposed a return to the system of competitive appointments which Congress had authorized in 1872 and abandoned in 1874. Neither did he speak for the party in power, who regarded such a measure as a mere curtailment of its political influence. Even the tragedy of 1881 did not shake the politicians from their stubborn hostility. For almost two years the bill lingered and made no progress, despite the unmistakable evidences of opinion out-of-doors. But the elections of 1882 sufficed to bring it to life. In the Congress chosen in 1880 the Republicans predominated, by a bare majority, too small to use, in both houses. But the elections of 1882 put into the House a Democratic majority of more than eighty and aroused the Republicans to a sudden sense of their responsibility to the public opinion of the country. The Senate, changing by States, not by the sweep of the popular vote, remained in their hands; their majority there was even increased. In the existing Senate they had had to rely on the casting vote of the Vice President for their majority; in the new Senate they were to command a serviceable majority of four. But they read the signs of the weather with as keen an apprehension as if they had lost both Senate and House. The Democrats, on their part, were ready to enhance their growing credit with the country by showing themselves willing advocates of reform. On the 6th of January, 1883, accordingly, before the new Congress met, the Pendleton bill passed both houses by large majorities, almost as if without serious dissent; and Mr. Arthur signed it at once with hearty approval.

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It provided for appointments to office by competitive examination and for the constitution of a Civil Service Commission which should be charged with the execution of its provisions, the establishment of proper tests, the conduct of examinations, and the careful enforcement of the rules of eligibility. It did not include all classes of the civil service, but it at least took rank and file, all clerical offices and all offices not of special trust and confidence, out of the reach of the politicians, and began a reform which the President could, under the terms of the Act itself, extend at his pleasure. Mr. Arthur sought to have it administered efficiently and in thorough good faith, for it had his sincere approval. He had shown from the first a dignity, a tact, a firmness, a sense of public duty in the administration of the great office so unexpectedly thrust upon him which had filled the country not less with surprise than with deep satisfaction. His selection by the Republicans for the vice presidency had given even stout partisans uncomfortable misgivings. He had been known in New York as of the group of office-holding politicians rather than as a man devoted to the larger kind of public service; his company had been that of the petty managers of the party's local interests, more interested in patronage than in public questions, a "stalwart" who took his cue from larger men. But the presidency brought his finer qualities to light. His messages and state papers read like the productions of a man of unusual capacity, information, and literary power. He seemed to make his chief appointments with a view to the efficiency of the public service rather than with a view to political advantage. He dealt with the bills sent to him by Congress in a way that lacked neither courage nor discrimination. Faction was quieted and the course of affairs ran cool again, with an air in which men could think.

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There was need for dispassionate thinking. Each year disclosed more clearly than the year which had preceded it the altered temper of the times, the questions of industrial development, of the relations between capital and labor, of tariff readjustment, and of currency reform which must take precedence of the older questions of politics, of constitutional privilege and civil rights, which had cut the former lines of cleavage between parties. The tariff duties which had been adjusted to the conditions and financial necessities of the war time were now piling up in the Treasury balances too large to be used. Obviously something must be done to ease the country of the unnecessary burden. Democrats and Republicans could not easily agree upon such a question. It was an old question in a new guise and had always separated Democrats from the Whigs from whom Republicans took their traditions in such a matter. The first approaches to reform were made very slowly, therefore, very guardedly, with a handsome show of careful consideration but very little show of action. In the winter of 1881-1882 a commission was appointed to travel through the country and take testimony with regard no less to the local than to the national conditions of trade and industry, for the purpose of supplying Congress with trustworthy data upon which to act in reducing the duties. Its report was in due course made, and an Act was passed which effected a reduction of duties which was in substantial accord with its recommendations. But the majority of the commission had been made up of stout protectionists, and the changes in the tariff which it recommended made little difference either in the revenues or in the incidence of taxation.

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It began to be plainly evident, moreover, that the tariff question was but a part of that general question of the development of trade and industry which year by year grew so various, so complex, so difficult to set justly apart in its elements. The country was undoubtedly prosperous. The South, especially, was showing how it could respond to the economic stimulation of the time, to the general development of the resources of the country, now that its corrupt governments, with their negro majorities, were lifted from its shoulders. But the very expansion of industry, the very growth and cumulative productiveness of capital made difficulties of, their own,—difficulties novel, unlooked for, in the handling of which statesmen were without experience or precedent and even men of business without standards of judgment. Capitalists were effecting a novel concentration of their power, through corporate association, through united lines of railway, through extensive combinations in industrial undertakings which created a sort of league to control both the output and the prices. And laborers, finding that they had to deal no longer with individual employers, but with powerful groups o men whom they never saw and could speak with only through their agents, themselves drew together in leagues, larger than the old trades unions, in order that working men as well as employers might wield the power of wide combination. Even laborers of different occupations drew together. So long ago as 1869 a society had been formed in Philadelphia, upon the initiative of a sagacious tailor, one Uriah Stevens, to unite workingmen of different occupations for their mutual benefit and protection, not only in respect of their relations with their employers, but also in respect of their relations with one another and the general advancement of their interests. Before statesmen saw what new questions were before them it had grown into a "Noble Order of Knights of Labor," whose membership was numbered in figures which exceeded one hundred thousand. A new economic force had come upon the field.

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Financial disaster, a time of sharp stringency when men looked to their investments, regretted their loans, questioned every adventure of business, and stood dismayed to see the prosperity of the country of a sudden checked, it might be destroyed, added its thrill of excitement and of apprehension to bring the thought of the country to an imperative reckoning upon economic questions. As in 1873, so again now it was the too rapid development of railways, their too desperate competition for earnings which were at best insufficient to support them, and the reckless speculation of those who dealt in their stocks that brought the sudden contraction of values on, and then panic and ruin. The country was growing very rapidly alike in population and in the increase of wealth and the multiplication of resources. The census taken in 1880 had shown that the population had, within the preceding ten years, increased more than thirty per cent, from 38,558,371 to 50,155,783. It was estimated that the actual wealth of the country had within the same period increased quite forty-five per cent, from $30,068,518,507 to $43,642,000,000. Nothing had lagged. Agriculture, manufactures, commerce, the products of the mines and of every industry that added to the resources of the country and made it rich and quick with energy showed a sound and wholesome growth commensurate with crowding numbers and the zest of hopeful enterprise. But the construction of railways had outrun all reason in the attempt to keep pace with the country's growth. The total railway mileage of the United States had been increased from 52,914 to 93,671 within the decade. New lines had bid against the old for patronage by sharp reductions in the rates of carriage; rates had fallen below the actual cost of the service; and while ruinous competition cut away profits, speculation in railway securities in the stock market completed the mischief. That speculation had reached its highest point of reckless adventure in 1880. After that the prices of railway securities began to decline, at first only a little, then very sharply, and in May, 1884, the inevitable crash came. As usual, some firms upon the Street suffered not only ruin but dishonor also, among the rest the firm of Grant and Ward, in which General Grant had been a silent partner. He had known nothing of the dishonorable transactions of his partners, but the disgrace and ruin in which they involved him touched his last days with humiliation and with a deep sadness which he could not shake off. Unscrupulous men had played upon him in business as they had played upon him in politics, and men's minds went always backwards to find his time of glory.

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Financial crisis did not, of course, touch the real resources of the country; its business went forward without fatal embarrassment, and those who took the large view of affairs perceived that its prosperity was not in fact seriously checked by what had happened in Wall Street. But Wall Street was, none the less, the seat of credit, and acute disturbances in its market could not go by without consequences which all the country felt. Business could not, for a little while, move with as confident a spirit as before. It was evident, too, that in undertakings both great and small the friction between laborers and employers grew, not less, but greater, as if some unwholesome influence were at work to clog the productive processes of the time. Workingmen promptly adapted to their own use against employers the "boycott" which Irish agitators had originated to work the ruin of those who opposed their radical programmes of social and political reform or who stood out for the privileges of the hated land owners. Individuals or companies who would not yield to the dictation of the labor organizations in any matter, whether of employment, wages, or hours of work, they sought to cut off from all patronage and business by terrorizing all who dealt with them or approached their places of business; and the courts were forced to execute, sometimes very harshly, the law against conspiracy, fitting formulas originated in an age gone by to circumstances more difficult to form their judgments upon than any a past age had produced. It added a little, too, to the sense of disquietude created by the crisis in the money market and the chronic disorders of industry that unprecedented and disastrous floods occurred, in the summer of 1884, in the valley of the Ohio, breeding distresses and tumults in the city of Cincinnati which put the place for six days together, almost at the mercy of mobs.

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The country got from every quarter a disquieting sense of lax government, deranged business, bad management in affairs, and the dissatisfaction and anxiety which such impressions produced inevitably operated to discredit the party in power. Some radical change in leadership began to seem desirable. Opinion more and more wearied of the stale grounds of preference upon which parties and candidates were chosen at the polls. The Republicans had held the presidency ever since the war, and both houses of Congress until 1875, not because they met new questions with new policy, but because, in a day now gone by, they had been the party of the Union and had saved it. Tenure of power through a whole generation, as if by prescriptive right, had worked its own demoralization, as was inevitable among men who made no new plans and had no new impulse of reform. Mr. Hayes had been upright, public spirited, inclined to serve the country unselfishly and in the interest of sound policy; Mr. Arthur had come out of the unpromising ranks of office holders and local party managers and yet had shown himself a man of elevated ideals in administration; but observant lookers on got the impression, none the less, that the lax morals and questionable practices of General Grant's day were still to be found beneath the surface of the public business at Washington. Men everywhere believed that the fibre of the party in power was relaxed and that new blood must somehow be got into the government before it could be made secure against the bad methods and the vicious standards of action which had got possession of it. It was not an issue as between parties that was shaping itself in the public mind, but rather a desire to choose new men, whichever party should prove ready to supply them,—the newer, the less identified with the party policies of the generation then passing away, the better. Upon that desire the presidential campaign of 1884 turned. Had the Republicans named a man of such qualities as to make the country feel sure of him as an instrument of integrity and sensible rectification in public affairs, no doubt he would have been chosen President; but they did not name such a man. The Democrats did, and won. Mr. Grover Cleveland, whom the Democratic convention put forward, was a new man in the field of national politics, but had proved his quality in public service in the State of New York in a way which had, within the past two or three years, attracted the attention of the whole country. Twenty years before, when he was but a youth of twenty-six, he had been chosen district attorney for the city of Buffalo (1863); in 1871 he had been made sheriff of his county, and ten years later mayor of Buffalo; in 1882 he became governor of the State. In that year the tide of popular reaction against the Republicans had run very strong, and Pennsylvania and Massachusetts, as well as New York, had preferred Democratic to Republican governors; but the reaction had been more marked and extraordinary in New York than anywhere else. In 1880, the year Mr. Garfield was chosen President, the Republicans had carried New York by a safe margin of more than 21,000 votes; and yet in 1882, but two years later, Mr. Cleveland had been preferred to an unimpeachable opponent by a plurality of 190,000.

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He was of the open and downright sort that all men who love strength must always relish Business men felt that they could trust him because he had had business of his own to manage as a lawyer of assured and Increasing practice and knew the business interests of the State and meant to guard them. Plain men instinctively trusted him, because they felt sure that they understood him, seeing that he was no subtile politician but a man without sophistication like themselves. He had early been drawn into politics and had followed it with a wholesome relish, finding zest in its comradeships with men of action and resource, men of quick wits and ready expedients, as well as in the sense of action and of service which it brought into his own life. A long apprenticeship in affairs, with local politicians for associates and fellow counsellors, made it very clear to him how men were to be handled and combined and gave him that close acquaintance with the personal side of party combination which is the surest basis of political sagacity among those who lead; and yet, though he knew men of all sorts intimately and at first hand, as Lincoln did, and met them every day in close, sympathetic association, he kept his own principles and point of view unconfused. He was the son of a rural pastor. His father had not had the means to give him a college training, but the lad had got the better training of a Christian household, had brought away from his quiet home standards of right action and a steadfast, candid conscience which told more and more upon the courses of his life as he matured. His associates found candor and courage to be the most characteristic qualities of the man. There was something very satisfactory in the simplicity and frankness with which he went about his duties when in office, without question as to his obligations as a public servant or misgivings as to the effect of what he did upon his personal fortunes. "The affairs of the city," he said, when he became mayor, " should be conducted as far as possible upon the same principle as a good business man manages his private concerns"; and the voters of the city found, with not a little satisfaction, that he acted upon that principle with extraordinary watchfulness and vigor. They dubbed him the "veto mayor" before his term was out, so frequently did he check the extravagance and the ill considered plans of the city council with his sharp, unhesitating executive negative. As governor the same qualities shone even more conspicuous in him. Courage, directness, good sense, public spirit, as if without thought of consequences either to himself or to his party, made him at once a man whom all the country marked when he came to that great post.

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There were men in the Republican ranks in New York who had played the chief parts of protest against the tendencies of their party. They meant to reform it, if they could, and so save it, but to oppose it if they could not bring it to a new way of action, a new and better choice of leaders. They sent strong spokesmen to the Republican nominating convention of 1884, and when that convention would not heed them they urged the Democrats to nominate Mr. Cleveland and give independent voters a chance to cast their ballots for a man of their own temper and principles in affairs. The Democratic convention took their advice, and for the first time in twenty-eight years a Democrat was chosen President. The candidate whom the Republicans had preferred was as brilliant a leader as any party had had for a generation; but the country did not want brilliant leadership; it wished for mere solidity of character and for a new and better point of view in the man it should put into its highest office; and it could not satisfy itself with Mr. Blaine. Mr. James G. Blaine was a man turned of fifty-four; Mr. Cleveland was but forty-seven. The one had been known through a whole generation as a man who by sheer force of natural gifts, eloquence, audacity, charm, had made his way to the front in the national counsels; the other had come but yesterday into view, not as a leader in counsel, but as a man of right action in practical public business. But some deeply unpleasant impressions had got abroad concerning Mr. Blaine, and had worked very powerfully upon those who were beyond the reach of his personal charm; and when the Republicans nominated him for the presidency the distrust those impressions had bred cost him the election, with such a man as Mr. Cleveland for opponent. He had played a great part in legislation. Three successive times before they lost control of the House of Representatives (1869-1875) the Republicans had made him Speaker, and he had used the power of that great office to make himself master of party action in the lower house, after the manner of the later Speakers, but with a personal hold upon the members of the House such as no man had enjoyed since Henry Clay. There were rumors that he had used his power also to obtain favors from certain railway and mining corporations and enrich himself. Nothing was proved. When the charges made against him were looked into with careful and impartial scrutiny they turned out to have very disputable foundation. He had engaged in transactions which no doubt left his hands clean, but hardly, it seemed, his conscience. There had been too little of the high punctilio of a nice sense of honor in many of the things he had done. Republicans who had grown critical and uneasy in such matters were convinced that, whatever might be said in defence or justification of Mr. Blaine, he was, at best, not entirely free from the taint that had seemed to fall upon almost every leader of the party who had played a prominent part in Congress during the last, bad days of the period of reconstruction, when the power they wielded was touched with high-handed lawlessness and the government they administered with the spirit of spoilsmen.

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The result of the election turned upon the vote of New York. No strong tide of popular preference ran for the Democrats such as had heartened them in 1882. Every northern and western State except Connecticut, New Jersey, Indiana, and New York cast its votes for Mr. Blaine; could he have carried New York, he would have been elected, and he lost it by only the very narrow margin of 1,149 votes. In the thought of the New York voters it was one thing to vote for a governor, quite another to vote for a President. The national prestige of the Republican party was not lost; only the steadfast determination of a few men to rid it, if they could, of its older leaders gave the vote of the State to Mr. Cleveland. Their task called for not a little moral courage in the performance. They were in principle and by preference, not Democrats, but Republicans, and what they were about to do filled their one-time party associates with contempt and bitter resentment. They were dubbed pharisees, who must needs prove themselves a saving and holy remnant, truer than their fellows; "mugwumps," big chiefs, who would not take their cue from common men but must signalize their valor apart. They accepted the name "mugwump" very cheerfully. It was a name whimsically borrowed from the language of the Algonquin Indians, was native American, accordingly, and had no sting that they flinched under either in its first or in its ironical meaning. They were led by men who cared little what names they were called by if only they satisfied their principles in what they did: men like Mr. Carl Schurz, who had led the revolt of the Republicans of Missouri twelve years before; men like Mr. George William Curtis, as much statesman and orator as man of letters, with whom politics was not a game of power but a career of duty. It was the' good fortune of such men that there were others in goodly numbers who were as indifferent as themselves what jibes were uttered against them provided they won and kept their character in the fight they had entered upon. And they did win. No doubt the Mugwumps made Mr. Cleveland President. He was a man of the sort they most desired, not touched with the older sophistications of politics, his face set forward, his gifts the gifts of right action. They trusted him and believed that he would purify the civil service and bring in a new day in which parties should concentrate their purposes on practical questions of the present.

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Mr. Cleveland's task as President was both delicate and difficult. He did not come into power supported by the warm enthusiasm of a people, as General Jackson had come, though no one doubted that he was the people's, not a party's, President. His popular majority over Mr. Blaine was but 23,000. Three hundred and twenty-five thousand votes had been cast for the candidates of the Greenback and the Prohibitionist parties, to which many men had turned for the nonce because they could not bring themselves to vote for Mr. Blaine and would not vote for a candidate of the Democrats, and in their extremity what to do threw their votes away. Out of a total popular vote of more than ten millions, therefore, Mr. Cleveland had lacked an absolute majority by more than three hundred thousand. The congressional elections had given the Democrats a strong working majority again in the House, but the Senate was still Republican. And yet the new President's party wished and expected him to recast the administration of the government in its behoof, as if it were already in its ascendency, and the Mugwumps bade him disregard party, put partisan considerations aside in his appointments to office, and make the government at Washington, as he had made the government at Albany, a sound instrument of public business. It was inevitable that he should disappoint both his party and the leaders of the independents. Fortunately he knew his own mind and was not rendered timid by the difficulties of his task. He accounted himself, not an independent, but a Democrat. His allegiance to his party was of the staunch and loyal sort. He thoroughly believed in its principles and held himself bound to serve it in every legitimate way compatible with the public service. He was a sincere believer in the reform of the civil service which the Mugwumps made so prominent a part of their creed and programme; but he thought it no breach of the principles of that reform to refuse reappointment to Republican officials whose statutory term of four years had expired and to put Democrats in their places, to ask for the resignation of Republican officials whose offices brought them into relations of confidence with the administration, or to dismiss those out of the rank and file who showed themselves disposed to use their offices for partisan purposes. He thought it right and wholesome and an act of sound policy to change a civil service which wad exclusively Republican in every rank, and which had been exclusively Republican throughout a whole generation, a service in which Democrats had been virtually proscribed, into a service mixed of men of both parties, and a clear matter of traditional right to put Democrats in every chief post of trust.

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The thorough-going politicians of the Democratic party were disappointed to the pitch of dismay to find that Mr. Cleveland meant to make no clean sweep of the offices and set his face like flint against the doctrine that appointments to office were the spoils of victory in a presidential contest. Thorough-going reformers were equally disappointed to find that he did not intend to adopt their principles with their own uncompromising austerity. "They are to be treated with respect," Mr. Blaine had written to Mr. Garfield of the reformers, in 1880, "but they are the worst possible political advisers, . . . foolish, vain, without knowledge of measures, ignorant of men, . . . pharisaical, but not practical; ambitious, but not wise; pretentious, but not powerful." Mr. Cleveland knew too much of the sterling character and wide experience of the particular group of reformers who had made his election possible to utter so superficial a judgment about them, or to feel anything but the profoundest respect for their motives and for their sagacity as men of action. He stood very near them in his own hopes and purposes, and felt no touch of Mr. Blaine's resentful contempt for them. But he was a practical man of affairs and knew better than they did both the limitations and the theretical weakness of their programmes. They stood outside the public service as critics; dealt with principles, not with men; were serviceable in the formation of opinion, but not in the conduct of government. The conduct of government they still left to professional politicians and to men who made public life their constant object, as they themselves did not; and Mr. Cleveland understood the public men whom they condemned more justly than they did,—understood them by reason of lifelong association with them, and knew that their qualities were better, their gifts a great deal more serviceable than men who had no dealings with them supposed them to be. Those who came into direct conference with him and learned to know at first hand his principles of action found nothing so strong, so imperative in Mr. Cleveland as his sense of justice, his sense of right and of fair dealing. He had, they found, a big conscience open to the airs of all the various world, approachable by all sorts of men, whether of thought or of affairs. He felt as much bound to meet the reasonable expectations of the right-minded politicians of his party as to come up to the requirements of the reformers. He knew the practice of party government as his critics did not, and felt at liberty to act upon the immemorial understandings of government in that kind wherever he could do so and yet not violate principles of sound administration. He meant to use the principles of the civil service reformers for the purpose of making the government pure and efficient, but not for the purpose of taking it out of the hands of parties as an instrument of policy. It was a reform which he perceived could not be brought on upon a sudden impulse, but must be worked out through the processes of politics as they stood.

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It was his conduct of administration and his attitude towards Congress rather than large questions of policy or of party management that held the attention of the country throughout the four years of his term. The House kept its Democratic, the Senate its Republican majority, and party legislation was still out of the question. All energy and initiative seemed for the time summed up in the President. His quality was as unmistakable as General Jackson's, and yet he had none of General Jackson's blind impetuosity or mere wilfulness. His individuality was the more marked because he stood apart from the houses as a power set to check and criticise them. He had never been a member of a legislative body. From first to last his experience in public service had been that of an executive officer. He held very literally, therefore, to the theory that Congress and the President were not so much associated as offset in the structure of the government, and was inclined to be a strict doctrinaire in the exercise of a complete independence of congressional suggestion. What most attracted the attention of the country, aside from his action in the matter of appointments to office, was the extraordinary number of his vetoes. Most of them were uttered against pension bills great and small. Both Democratic House and Republican Senate were inclined to grant any man or class of men who had served in the federal armies during the civil war the right to be supported out of the national Treasury, and Mr. Cleveland set himself very resolutely to check their extravagance. He deemed it enough that those who had been actually disabled should receive pensions from the government, and regarded additional gifts, for mere service, both an unjustifiable use of the public money and a gross abuse of charity. When the Senate sought to revive against him the principles of the Tenure of Office Act, which had been passed to thwart Mr. Johnson but suffered to be forgotten so long as Republicans were in the presidency, and inquired into his reasons for certain removals from office, he met it with an assertion of his constitutional rights as Executive as imperative as General Jackson would have uttered, and put that matter once for all at rest. Both houses learned to respect his intelligence, his conscience, his unhesitating will with a touch of fear such as they had felt towards no other President they could remember.

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The new tenor of reform and of individual responsibility he had brought into affairs seemed in some measure to touch Congress also and to dispose it to apply itself to important matters of business which had too long waited to be dealt with, and which could be handled without partisan heat. The most important of these was the establishment of a fixed order of succession to the presidency, in case of the death or disability of both the President and the Vice President. A bill amending the law in that matter had been formulated in the Senate as long ago as the summer of 1882, and since that time had twice been adopted by the Senate; but the House had failed to concur. As the law stood the succession fell to the president protempore of the Senate or, if he could not act, to the Speaker of the House of Representatives. But there were times, falling between the sessions of a Congress whose term had expired and the sessions of the Congress chosen to succeed it, when there was neither a president protempore of the Senate nor a Speaker of the House. There had been such a season while Mr. Arthur was President. There had been an anxious summer when, had death or serious disability overtaken him, there would have been no one to take up the duties of the chief office of the nation. Another season of the same sort came during the very first year of Mr. Cleveland's presidency. Mr. Hendricks, who had been chosen Vice President with Mr. Cleveland, died in November, 1885, and there was a brief interval during which there was no one between the President and a legal lapse of the presidential functions. At its first session, therefore, the Congress which had been chosen at the time of Mr. Cleveland's election passed an Act which placed the heads of the executive Departments in the line of succession, in the order of the creation of their several offices, should they possess the qualifications of age and of birth within the United States prescribed by the constitution in respect of the President and Vice President: the Secretary of State, the Secretary of the Treasury, the Secretary of War, the Attorney General, the Postmaster General, the Secretary of the Navy, the Secretary of the Interior, the Secretary of Agriculture (January 18, 1886); and a matter of much anxiety was happily settled.

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The leaders of the two parties were at last ready also to agree upon a final settlement of the mode of counting the electoral votes. It was manifestly imperative that the recurrence of such a situation as had been brought about in 1876 by the double electoral returns from South Carolina, Florida, and Louisiana should be prevented by some provision of law which should determine once for all whence the authoritative and final decision should emanate as to the validity of disputed votes, but not until now had the heat of that contest been sufficiently dispelled to enable politicians to come to an agreement in the matter. An Act became law on the 3d of February, 1887, which provided that the decision should rest with the States themselves from which the votes came, and Congress should undertake to judge of matter in dispute only when there was in any State such a conflict between two tribunals of appeal as made it necessary that some outside authority should intervene. In such a case the decision of the houses should be reached by concurrent resolution. It took much debate and many conferences to frame the law to the satisfaction of both houses; but it was felt at last that agreement was necessary, and all sensible men hailed the result with gratification.

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There were questions also of business and of economic relief which the houses found it possible to agree upon before Mr. Cleveland's term was out. By an Act of the 4th of February, 1887, known as the Interstate Commerce Act, railway corporations operating lines which passed from one State to another were forbidden to make discriminations in their rates as between different shippers or to enter into any combination with competing companies for the purpose of sharing earnings or of "pooling" freight receipts in a common fund to be proportionally divided; and a commission of five persons, to be appointed by the President, was constituted which was given very extensive judicial and mandatory powers for the enforcement of the Act. In the following year an Act was passed which excluded Chinese immigrants from the United States. The Interstate Commerce Act had been introduced by Senator Reagan, of Texas, so long ago as 1884, and had been pressed for three years before obtaining majorities in both houses. Its advocates spoke in the interest of the farmers and of all small shippers,—of all who had felt the power of the railways a burden upon them. It was not disputed that the railway companies had granted lower rates of carriage to the greater manufacturers and producers whose shipments were large, or that they had favored one section of the country at the expense of another; and it was manifest that their discriminations had fallen very heavily upon small farmers and men in the smaller ways of trade and manufacture. There was decided satisfaction throughout the country, therefore, that steps had at last been taken to protect the rank and file. The law which excluded Chinese immigrants had been passed at the urgent solicitation of the men of the Pacific coast. Chinese laborers had poured in there, first by hundreds, then by thousands, finally by hundreds of thousands, until the labor situation of the whole coast had become one almost of revolution. Caucasian laborers could not compete with the Chinese, could not live upon a handful of rice and work for a pittance, and found themselves being steadily crowded out from occupation after occupation by the thrifty, skilful Orientals, who, with their yellow skin and strange, debasing habits of life, seemed to them hardly fellow men at all, but evil spirits, rather. For years together the laborers of the coast and all who wished to aid them had demanded of Congress the exclusion of the Chinese. Failing of aid from that quarter, riot had become their almost habitual means of agitation and self-defence,—riot which sometimes went the awful length of whole-sale slaughter in wanton attacks upon the Chinese quarters of the towns. San Francisco had found the matter a veritable menace to government itself. Congress had passed an exclusion bill in 1879, but Mr. Hayes had vetoed it. Negotiation with China had been tried, but she had refused to agree to the exclusion of her people by her own act and consent; and an end was at last made of the matter by the Act of 1888.

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Such Acts were but the first fruits of radical economic changes and the rapid developments of trade, industry, and transportation. The laborers and men whom great combinations of capital were in danger of crushing or driving to the wall were making themselves more and more heard and heeded in the field of legislation. The Knights of Labor, who but the other day had numbered only a few more than a hundred thousand, now mustered six hundred thousand strong. What was more significant, airs, not of agitation merely, but of anarchy also were beginning to stir, in a country which until now had been known and envied the world over as a land in which men reverenced "the laws themselves had made," acted under government as under their own self-control, and kept opinion always within the paths of peace. The cities were filling up with foreigners of the sort the Know Nothings had feared; men who had left their homes dissatisfied not merely with the governments they had lived under but with society itself, and who had come to America to speak treasons elsewhere forbidden. For many a long year their incendiary talk had fallen without effect upon the ears of working-men in America, and politicians had been wont to boast that men born in America and men trained in America's school of labor and politics would never listen to it. But the air of the industrial regions of the country had sensibly thickened with the vapors of unwholesome opinion in these last years of unlooked for concentrations of capital and unparalleled growths of corporate power. They still showed themselves most in cities where discontented men and women out of the proletariat of European countries most congregated. The country had startling evidence of the strength and audacity of the anarchist leaders in a great meeting held in May, 1886, in the Haymarket at Chicago, which seemed part of a concerted plan not only to preach but also to practise defiance of law, and which ended in the most serious conflict with the police an American city had ever witnessed. But the infection was spreading outside the cities, too. It began to be seen, when once the matter was laid bare, that men of American training, as well as foreigners, had begun to take the taint of anarchistic sentiment. Even the Knights of Labor were touched with it, despite the conservative influence of their leaders, and nothing but the sharp reaction of opinion caused by the Chicago riot, the country through, checked its quiet spread. Vast organizations like that of the Knights of Labor held loosely together at best anarchism is the negation of organization; and in proportion as it became anarchistic the great order suffered disintegration and decay. A new order, the American Federation of Labor, sprang up to take its place, and the scene changed very rapidly as one agitation succeeded another. But no one could say that the scene grew more quiet or gave hopeful signs of peace as it shifted.

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To Mr. Cleveland it had become evident that not a little of the economic trouble of the time had its root and source in the operation of the tariff. There, it seemed to him, lay the foundations of those economic preferences of one set of men or one section of the country over another which were so deeply irritating the farmers of the South and West, the laborers of the cities and of the centres of manufacture, and the advocates of free competition. Protective tariffs deliberately extended the favors of the government to particular undertakings; only those who had the capital to take advantage of those favors got rich by them; the rest of the country was obliged to pay the costs in high prices and restricted competition. Such had time out of mind been Democratic doctrine, and every sign of the times seemed a demonstration of its truth. But not every man who called himself a Democrat accepted that creed. The Democratic party had been out of power for twenty-four years; the war had broken its ranks and confused its principles; there were men in it now who would never have been in it had it been, that long generation through, a party of action instead of merely a party of opposition. Notable among such men were Mr. Samuel J. Randall, of Pennsylvania, and the group of members who stood with him in the House of Representatives. These men were avowed protectionists, and Mr. Randall had from 1876 to 1881 been the acknowledged congressional leader of his party. He had during those years been Speaker of the House, and by consequence master of its action in all points of legislation. Leadership in that kind passed away from him when Mr. Cleveland became President in 1885, and Mr. Carlisle, of Kentucky, became Speaker, a Democrat of the older type; but Mr. Randall's power was not gone. He still, it turned out, held the balance of power and controlled the action of the House in the matter of the tariff. Both in the Congress which preceded Mr. Cleveland's election and in that which followed it Mr. Morrison, of Illinois, had introduced proposals for the reform of the tariff which were neither radical nor disregardful of vested interests, and had pressed them upon the House with arguments which lacked neither force nor the backing of opinion out of doors. An increasing surplus was being steadily piled up in the Treasury; the rates of duty which yielded the redundant revenue had been laid in time of war to meet extraordinary expenses; many of the articles which carried the burden of the tax were necessary to people of every rank and economic condition, notably wool and woollen goods; relief could be obtained by reductions which were not likely to damage any industry, or to deprive it of any advantage which it was not abundantly able to dispense with. But Mr. Randall led some forty Democrats, who sat for constituencies in Pennsylvania, Ohio, New York, California, and New Jersey, who voted against every reduction, by whatever argument supported, and the rest of the party, though they numbered one hundred and fifty strong, could carry nothing against them.

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It was this situation which Mr. Cleveland determined to change, if plain speaking could change it. In December, 1887, he addressed to the new Congress chosen in 1886 a message which passed all other subjects by and spoke only of the tariff. He asked Congress to put theoretical questions for the nonce aside. "Our progress towards a wise conclusion," he said, "will not be improved by dwelling upon the theories of protection and free trade…. It is a condition which confronts us,—not a theory…. The question of free trade is absolutely irrelevant." "Our present tariff laws, the vicious, inequitable, and illogical source of unnecessary taxation, might to be at once revised and amended," not only, he maintained, because unused revenue was piling up, but also because consumers were carrying an unjust burden. The message ran strong, imperative in every sentence, and the air was cleared upon the instant. It was the only voice of courage and decision that had been heard upon that matter in a generation; and Mr. Randall's minority fell into fine as if confused. They had felt the compulsion of a leader's will,—were not converted, but disciplined. The Committee of Ways and Means of the House, under the leadership of Mr. Mills, of Texas, its chairman, at once prepared a bill which attempted a systematic revision of duties, general though not radical, a measure not of free trade but of carefully planned, conservative reduction such as the President had desired; and it passed the House with only four Democratic votes cast in the negative.

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The Republican Senate rejected it,—even proposed higher duties in its stead; and the existing law stood unamended. But the issue had been made up. Mr. Cleveland had given his party a distinct, unmistakable policy with which to go to the country in the presidential campaign of 1888. It accepted the issue under protest; but it accepted it. Mr. Cleveland had not taken counsel with the congressional leaders of his party before uttering his imperative message; had asked advice, indeed, of no one; had acted wholly upon his own conclusions as to what was necessary for the relief of the country. His action in the matter had filled the leading politicians of his party with dismay, its rank and file with confusion. He had been warned that to attack the protected interests of the country might cost him his reelection; but that consideration had not moved him. He believed that his party could win upon such an issue at the polls, but he would not wait to make any nice calculations on that subject; he would at least do his party the service of putting it in the right. The country relished his courage, whatever timid politicians thought of it. He stood for the moment the indisputable master of all action within the Democratic party. Its nominating convention nominated him as of course for a second term. The Republicans nominated General Benjamin Harrison, of Indiana, grandson to William Henry Harrison, whom death had taken untimely away to make Mr. Tyler President; and the two parties went to the country on the issue Mr. Cleveland had made.

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The Democrats were defeated. The popular vote for Mr. Cleveland, indeed, exceeded that for his opponent by some one hundred and ten thousand, but Mr. Harrison had a majority of sixty-five in the electoral college (233-168). New York and Indiana had turned again to the Republicans. No northern States except Connecticut and New Jersey had voted for the Democratic candidates. Even the control of the House of Representatives was lost by the Democrats; the congressional elections gave the Republicans a working majority of about twelve. The tariff system had come to seem to that generation of voters very like a fixed part of the law of society, of the national life itself; Mr. Cleveland had not given them time enough to adjust their thought to the change he urged. There had been nowhere any sharp reaction of opinion, but everywhere in the North reaction enough to shift the balance of power once again from the Democrats to the Republicans.

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On the 4th of March, 1889, Mr. Cleveland quietly gave place to Mr. Harrison and the government passed once more in all its branches into the hands of the party which had made the policy of the last twenty-eight years. But it was not the same government it had been when that party met its first serious check in 1875. It had steadied the judgment of the country in respect of parties to have a Democratic President for four years, and that President a man like Mr. Cleveland, compact of frankness, conviction, and force, no mere partisan but a man of the people, with the spirit of service strong upon him. The people had for a long time endured the deterioration of affairs under the later Republican administrations because they doubted the capacity and the principle of the Democrats. They had now learned at least that a change of parties in the administration meant no jeopardy to the government itself. The choice between parties had become once more a choice between policies merely, and affairs wore a normal aspect again,—such an aspect of peace and businesslike quiet as they had not worn since the painful shock of the Kansas-Nebraska Act. One by one the statutes which had marked the era of war and reconstruction had disappeared from the statute book: some because annulled by the Supreme Court, others by expiration, still others by repeal. Even the Tenure of Office Act had been quietly repealed after Mr. Cleveland's refusal to submit his reasons for removals to the Senate's scrutiny and review.

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In 1888 the legislature of Massachusetts had adopted a method of balloting at elections borrowed directly from Australia, indirectly from England itself, which, as it spread from State to State, gave a noteworthy impetus to the purification of elections. The main features of the reform were, the facilitation of independent nominations for office outside fixed-party lines, the official printing of the ballots to be used, their distribution to the voters only by sworn officers of election, and the isolation of the voter while preparing his ballot, in order perfectly to protect his privacy and independence. Opinion approved the change at once, and legislature after legislature hastened to adopt what opinion unmistakably demanded. It was one of the signs of the times. Opinion was slowly freeing itself as much as possible not only from the older party prejudices, but also from the too inquisitive management of politicians.

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The foreign affairs of the government stood as they had stood when Mr. Cleveland came into office. The hostility of the Senate to his administration had rendered it impossible for him to bring any matter of negotiation to a satisfactory conclusion. The only matters of capital importance it had fallen to him to consider had concerned the fishing rights of the United States on the two coasts of the continent. Dissatisfied with the operation of those clauses of the Treaty of Washington which dealt with the Canadian fisheries, Congress had instructed the President in 1883 to give the required notice to Great Britain of the desire of the United States to abrogate them, and on the 1st of July, 1885, pursuant to Mr. Arthur's notice, they had gone out of effect. In February, 1888, under Mr. Cleveland, a new treaty regarding the fisheries had been negotiated; but the Senate had rejected it. The question which arose on the other side of the continent concerned the rights of the United States over the seal fisheries of the north Pacific. The United States claimed that the purchase of Alaska from Russia in 1867 had brought with it the right to protect the seals of Bering Sea against capture or destruction, having brought with it exclusive jurisdiction over that sea. England denied the right and the jurisdiction; but the government passed out of Mr. Cleveland's hands before the matter could be brought to a definitive formulation and issue. It passed to Mr. Harrison along with all other pending questions of policy and administration.

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Authorities now begin to grow scarce. Mr. Edward Stanwood's History of the Presidency still affords an excellent sketch of political conditions; Edward McPherson's Handbook of Politics still records the chief political happenings; Mr. Francis Newton Thorpe brings his Constitutional History of the United States down through this period; Appleton's invaluable Annual Cyclopaedia makes careful record of events; and the more serious magazines of the country, such as The Atlantic Monthly, The North American Review, The Forum, The Nation, The New Princeton Review, The Political Science Quarterly, and the Quarterly Journal of Economics furnish reviews and discussions of almost all the principal public transactions of the time. The New Princeton Review contains an exhaustive Record of Events (1885-1888), which, after 1888, is continued in The Political Science Quarterly, in which The New Princeton Review was merged. Mr. S. S. Cox's Three Decades of Federal Legislation covers the years down to 1885; Mr. Hugh McCulloch's Men and Measures of Half a Century runs a little way into the period of this chapter; Mr. John Sherman's Recollections of Forty Years in House, Senate, and Cabinet covers all of it; and the collected Works of Mr. George William Curtis shed excellent light on many of the more serious questions of the times. Mr. John Clark Ridpath has prepared The Life and Works of James A. Garfield in such a way as to afford some guidance in the history of the time.

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Mr. A. S. Bolles's Financial History of the United States (to 1885), Mr. Carroll D. Wright's Industrial Evolution of the United States, Professor F. W. Taussig's Tariff History of the United States (to 1883) and Silver Situation in the United States, and Mr. David A. Wells's Recent Economic Changes are our chief authorities on matters fiscal, financial, and economic. Mr. C. Juglar has written A Brief History of Panics; Mr. H. Lambert a sketch of The Progress of Civil Service Reform in the United States; Mr. C. B. Elliott a recital of the principal facts with regard to The United States and the Northeastern Fisheries; and Mr. Eugene Schuyler a treatise on American Diplomacy, which is an excellent manual of the larger international concerns of the country. Mr. Henry Jones Ford's Rise and Growth of American Politics, Mr. Lauros G. McConachie's Congressional Committees, and Miss M. P. Follett's Speaker of the House of Representatives still serve us in explaining congressional influence and procedure and party action.

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The sources here, as in the last chapter, are The Congressional Record, the various series of Documents published by House and Senate, the Messages and Papers of the Presidents, the Statutes at Large, and the newspapers and other periodicals of the time.

Chapter 3:

The End of a Century

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MR. HARRISON entered office amidst signs of a new age. The Republican party which had put him forward was not the Republican party of the war and of reconstruction but the Republican party of the new day of industrial revolution. Old questions had fallen out of sight or were transformed by changes in the nation itself; new questions pressed for solution which had in them no flavor of the older passion of party politics. Mr. Cleveland's four years of office had altered many things. For the mass of voters they had altered the very principle of choice between parties. That choice turned now once again upon questions of the day, not upon the issues of a war long ago fought out or of a reconstruction of southern society which politicians had touched only to mar and embarrass. A full century had gone by since the government of the nation was set up. Within that century, it now began to appear, fundamental questions of governmental structure and political authority had been settled and the country drawn together to a common life. Henceforth matters were to be in debate which concerned the interests of society everywhere, in one section as in another, questions which were without geographical boundary, questions of the modern world, touching nations no less than communities which fancied themselves to lie apart.

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And yet a new sectionalism began to show itself, not political, but economic. In 1890, for the first time, the census takers found it impossible to trace upon their maps any line which marked the front of settlement between the Mississippi and the rising heights of the Rockies. Hitherto there had always been a "frontier" within the body of the continent, a line along which ran the outposts of settlement, and beyond that, between the newest settlements and the slopes of the Pacific, a well defined space as yet unpeopled. But now such regions had lost their definite outlines. Here and there were yet vacant spaces, some of them, it might be, as extensive in area as a great State: some tract of desert, some region which promised neither the fruits of the earth nor hidden wealth of minerals; but for the rest population had diffused itself so generally that frontiers had disappeared and the differences between region and region seemed little more than differences in the density of population. And yet there were lines of separation, none the less, which no census taker could draw but to which statesmen of necessity gave heed, which were as significant as anything the older maps had shown. The careful student of economic conditions might almost have made a sketch upon the map of the new divisions of the country,—divisions of interest: those most fundamental of all differences, differences in the stage of development. Any observant traveller might remark them as he moved from the teeming eastern seaports into the West or South. From the Atlantic seaboard to the Mississippi and the great lakes there stretched, north of Mason and Dixon's line, a region substantially homogeneous in all the larger interests of trade and industry, not unlike European countries in the development of its resources and the complex diversification of its life; but beyond it, to the west and south, lay regions and communities of another kind, at another stage of development, agricultural, for the most part, up to the very ridges of the Rockies, or else set apart to some special interest like that of mining or of cattle raising on the great scale. Throughout all the vast continent, to the east of the Mississippi as to the west, contrasts were, indeed, modulated; hardly anywhere was the transition sharp from one set of social and economic conditions to another. But, taken upon the large view, they were very great, very radical, very significant, openly prophetic of differences of opinion and of interest.

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Settlement had crossed the continent, but always with a thin and scattered front, its masses neither homogeneous nor uniform, its processes hasty, imperfect, crude until the third or fourth generation. In many places settlers were yet but in the first generation. Line after line to be found upon the decennial maps of the census office, to mark the frontier of fixed settlement decade by decade, was still to be traced in differences of habit and development between community and community from east to west, not yet effaced by the feet of those who had crossed then, to make homes beyond. Communities were still making and to be made. Conditions as if of a first day of settlement, conditions such as had once existed upon the coast of the Atlantic in the far-away days of the first colonies, conditions which had been shifted generation by generation from east to west across the whole breadth of the great continent, were still to be observed in hastily built towns at the far West, upon broad cattle ranches, in rough mining villages, in new regions upon the vast western plains where the plough had but just begun to break the surface of the virgin land into fruitful furrows. The land itself, by reason of its own infinite variety of character and resource, commanded changes of life and diversity of occupation. There were broad tracts of country which were entirely without cities or centres of population or any industry which brought men together in intimate cooperative groups, tracts given over by nature to the farmer and the grazier. There were States where communities sharply contrasted in life and motive were set side by side, to the sore perplexity of those who sought to make their laws and reconcile their interests: placer mines which poured the refuse of their operations down the slopes of the western mountains upon smiling farms which they were like to ruin; towns perched high within the peaks of the towering Rockies, where precious metals were to be found, which yet lay within the same political boundaries with keepers of sheep and cattle in the plains below; centres of trade and of manufacture, lying upon some great watercourse or by the coasts of the western ocean, which seemed hardly more than huge trading posts on the routes of commerce from east to west, from west to east, so little intimate part did they have in the life of the rural people amidst whose prairie farms or broad orchards of fruit they were set.

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It was these differences, this lack of homogeneity, this diversity of habit, interest, and point of view which had begun to tell upon the politics of the country with the ending of the war and of the processes of reconstruction, and which now began to be decisive in the formulation of party programmes. The South, with the passing away of slavery and of the leadership of the greater landholders, bred in an elder school of politics, had become like the newer regions of the West in motive and opinion. It, too, was predominantly agricultural. Its farmers were not the aristocratic planters of the elder society which the war had destroyed, but were for the most part men of the class from which Andrew Johnson had come: plain men who did not stand for the old traditions, who had not themselves owned slaves and who had felt none of the esprit of privilege that had ruled affairs in the days gone by; men as new in politics, as new in political thinking and constructive purpose, as much bound within the narrow limits of their own experience as the men of the western farms. Any one who noted how the tenets of the Farmers' Alliance and the new and radical heresies with regard to money took root there could see how the South had in fact become itself a new region in all that touched its social organization and its political thinking, a region as it were of recent settlement and late development so far as all the new order of the nation's life was concerned. Errors of opinion began to prevail there, as in the new regions of the West, like those which had swept through the crude colonies in the unquiet days which preceded and followed the War for Independence: hopes that the credit of the government itself might in some manner be placed at the disposal of the farmers in the handling and marketing of their crops, demands for a "cheap" currency, of paper or of silver, which should be easier to get and easier to pay debts with than the gold which lay so secure in the vaults of the banks and of the federal Treasury. The communities from which such demands came lay remote from the centres of trade where men could see in the transactions of every day what the real laws of credit, of value, and of exchange must always be, whether legislators would have them so or not. Moreover, they felt profoundly, though vaguely, the economic uneasiness of the time, the novel power of the railways to determine markets and prices and margins of profit, the rising influence of great aggregations of capital in the controlling industries of the country, the providential oversight of banks and of those who made the arrangements of credit and exchange. Every farmer, every rural shopkeeper and trader, every man who attempted manufacture upon a small scale felt at a cruel disadvantage, and, letting his thoughts run only upon his own experience and observation, dreamed of bettering his chances by an abundant issue of at least the cheaper of the two monetary metals by the government itself, in order that bankers and capitalists might no longer keep poor men in bondage.

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It was the rise and spread of such opinions that the Republicans, now once again in power, in Congress as in the presidency, had to face. There was as good reason for the apostles of the new radicalism to hope to establish themselves in the counsels of the Republican party as to hope to control the action of the Democrats. Republican constituencies were touched with the new heresies, in many parts of the country, as sharply as Democratic constituencies, and the one party was not more expressly committed than the other against the policies proposed. The Whigs, from whom chiefly the Republicans took their political lineage, had stood always for a sound and stable currency; but so also had the Democrats, with their unbroken party history since the days of Mr. Jefferson himself. The difference between them had been hardly more than this, that the Whigs wished to use the instrumentality of a national bank in the management of the public finances, while the Democrats, rejecting a bank, had sought to make the Treasury in all things independent of private business interests. The Democrats had sought to break all connection between the federal government and the banks, but they had never thought to touch the credit of the country with the hopeless demoralization of a depreciated and fluctuating currency by any imprudent law of coinage or by any substitution of a body of paper issues for the accepted monetary metals. General Jackson had come perilously near to wrecking the whole fabric of credit in order to put all payments to the government upon a gold basis. No doubt it was the questionable decisions of the Supreme Court of the United States in the legal tender cases which had opened the minds of politicians to rash experiment in the field of financial legislation. Those decisions justified the government in making its own mere promises legal tender in the payment of both public and private debts. The immense issues of the war time were made in their reasoning to seem compatible with the ordinary processes of public finance. Legislators got a novel and misleading sense of power in the creation of values. The country was ready to believe that such measures as the Bland Silver Bill of 1878, passed through Congress by votes drawn from both parties, might come from either party, should the movement of opinion in that direction but grow strong enough. The Democrats, it might be, stood nearer to the mass of the people in such matters, and undoubtedly drew their chief strength from the West and South, where the new opinions showed themselves strongest and most aggressive; but the Republicans, though they drew their support chiefly from the industrial and commercial centres of the country, showed also an uneasy fear lest they should seem to fail to meet popular doctrine half way. They were not loath, observers began to remark, to play to the populace upon occasion.

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That impression was not a little strengthened by the action of the new Republican Congress. In midsummer, 1890, an Act was passed which put the coinage of silver and its use as a medium of exchange on a new footing, but which by no means reversed the policy of the government or turned away from experiment. It in set terms repealed the Bland Act of 1878, and it put a limit of one year upon the continued coinage of the silver bullion purchased by the Treasury; but it did not discontinue the purchase of silver by the government. It provided that the Treasury should each month purchase four and a half million ounces of silver at its market price; that the bullion thus bought should be paid for in Treasury notes of the United States; that after July 1,1891, the silver purchased should no longer be coined, except so far as might be necessary in order to supply the Treasury with coin enough to redeem its notes; that the notes issued in payment for the bullion should be legal tender in the satisfaction of all debts; and that they should be redeemable in either gold or silver at the discretion of the Secretary of the Treasury. The Act declared it to be "the established policy of the United States to maintain the two metals at a parity with each other" at a fixed ratio determined by law. It was with a view to maintaining their parity that the Secretary of the Treasury was bidden use his discretion in the redemption of the notes, being expected to see to it that the one metal was not suffered wholly to supplant the other, or that the one should not be made more difficult to obtain than the other. Mr. John Sherman, the honored senator from Ohio, a man whom business men the country over looked upon as a careful student of affairs, and particularly of public finance, had fathered the measure. It was a significant political sign of the times that he should thus take part in an effort to give silver an artificial value, despite the movement, the irresistible movement, of the market. The ratio of value between gold and silver fixed by statute was not the ratio fixed by the law of supply and demand. The price of silver rose a little at first, under the influence of the Act, but it could not be kept up. The law of supply and demand was not checked in its operation. It governed the value of the metal as of all other things bought and sold. The statutes of no single government could set the efficacy of that law aside. The experience of the onetime monetary union of the Latin countries of Europe seemed to make it unlikely that even international agreement in matters of coinage could keep the values of the two metals to a fixed and stable ratio. Mr. Sherman and his colleagues both in House and Senate must have been conscious that they were playing to the galleries.

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All policy came, as in General Grant's day, as in Johnson's day, from the leaders of Congress. Mr. Harrison did not possess the gifts of leadership. A man of unquestionable character and gifted above most of his predecessors with the power to think and speak clearly, impressively, and to the point upon every public issue, a man of culture, thoughtfully read in affairs and trained by long experience in the public service, he utterly lacked personal charm and the power either to persuade or to please the men about him. His manner was cold and distant; he seemed neither to give nor to invite confidence. A cool air of orderly routine seemed always to pervade the executive chambers of the White House. It was not a place of intimate counsel where leaders conferred, but a place, rather, where the public duties of the President were performed in a sort of dignified seclusion. There was a pleasing independence in the way in which Mr. Harrison showed his good conscience and careful diligence in affairs, but no warm impulse came from him which the leaders in Congress felt constrained to reckon with. The legislative acts of the majority showed, consequently, no single informing purpose. Rank and file were apparently looking for safe ground rather than framing systematic and consistent policies.

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The question of the tariff held the chief place of attention in debate. Before the close of May, 1890, the House, under the leadership of Mr. William McKinley, the chairman of its Committee of Ways and Means, had passed a new tariff Act, considerably increasing the protective duties, especially upon wool and woollen goods. The tariff had been the chief issue upon which the elections of 1888 had turned, at which the Republicans had won their majority. Mr. Cleveland had made the issue by his unexpected, outspoken message of December, 1887. The Republican leaders deemed their victory at the polls a sort of mandate not merely to maintain but also to strengthen the system of protective duties; and the Ways and Means Committee of the House had made it its first task to prepare a bill which should satisfy the expectations of the country. The House accepted the bill after but two weeks of debate. The Senate kept it all summer under consideration and so altered it before finally adopting it in September that a conference between the two houses became necessary before an agreement could be reached; but by October 1 it had become law. It had passed by a strict party vote in each House. Even members of the Republican majority had had uneasy misgivings as they watched the movements of opinion out-of-doors. It was not certain that they had not won in the elections as much because Mr. Cleveland had disappointed some of his independent supporters by proving himself more of a party man than they cared to be as because he had demanded a revision of the tariff. There was at least candor and a definite party purpose in what the new majority had done, however. Their party was once more unequivocally committed upon one of the chief questions of the day.

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It was growing from year to year more and more difficult to calculate, more and more difficult to guide the movements of opinion. The new age of growth which had followed the war showed a quickened pace of change. The years 1889-1890 saw six new States added to the roster of the Union: North Dakota, South Dakota, Montana, Washington, Idaho, and Wyoming, and thoughtful men perceived how significant a thing it was that but five Territories remained in all the broad continent, with scattered Reservations here and there in the farther West, set apart for the redmen. In 1889 the government had purchased of the tribes even a part of the Indian Territory which lay within the circle of Kansas, Arkansas, and Texas, to be thrown open to white settlers,—the fairest portion of it, Oklahoma, the Beautiful Land which lay almost at its heart; and all the country had heard how mad a rush there had been across its borders to secure its coveted acres. A host of settlers fifty thousand strong had encamped upon its very boundary lines to await the signal to go in and take possession. At noon on the 22d of April, 1889, at the sound of a bugle blown to mark the hour set by the President's proclamation, the waiting multitude surged madly in, and the Territory was peopled in a single day. It was the old, familiar process of first occupation and settlement carried out as if in a play, the story of the nation's making in a brief epitome. Its suddenness, its eagerness, its resistless movement of excited men marked in dramatic fashion the end of the day of settlement. The best parts of the continent, save isolated Reservations here and there, were taken up; and the stream of population was dammed at their borders only by the barriers of law. When they were removed it would spring forward like a flood.

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The census of 1890 showed the population of the country increased to 62,622,250, an addition of 12,466,467 within the decade. Immigrants poured steadily in as before, but with an alteration of stock which students of affairs marked with uneasiness. Throughout the century men of the sturdy stocks of the north of Europe had made up the main strain of foreign blood which was every year added to the vital working force of the country, or else men of the Latin-Gallic stocks of France and northern Italy; but now there came multitudes of men of the lowest class from the south of Italy and men of the meaner sort out of Hungary and Poland, men out of the ranks where there was neither skill nor energy nor any initiative of quick intelligence; and they came in numbers which increased from year to year, as if the countries of the south of Europe were disburdening themselves of the more sordid and hapless elements of their population, the men whose standards of life and of work were such as American workmen had never dreamed of hitherto. The people of the Pacific coast had clamored these many years against the admission of immigrants out of China, and in May, 1892, got at last what they wanted, a federal statute which practically excluded from the United States all Chinese who had not already acquired the right of residence; and yet the Chinese were more to be desired, as workmen if not as citizens, than most of the coarse crew that came crowding in every year at the eastern ports. They had, no doubt, many an unsavory habit, bred unwholesome squalor in the crowded quarters where they most abounded in the western seaports, and seemed separated by their very nature from the people among whom they had come to live; but it was their skill, their intelligence, their hardy power of labor, their knack at succeeding and driving duller rivals out, rather than their alien habits, that made them feared and hated and led to their exclusion at the prayer of the men they were likely to displace should they multiply. The unlikely fellows who came in at the eastern ports were tolerated because they usurped no place but the very lowest in the scale of labor.

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The year of the McKinley tariff and of the Sherman Act for the purchase of silver had brought fresh congressional elections, and after that there had been no more important party legislation. The Chinese exclusion Act had been no party measure, but a concession which both parties were willing to make to the opinion of the Pacific coast. The elections of 1890 had created in the House, instead of the slender Republican majority of a dozen votes, a Democratic majority of close upon one hundred and fifty. The tide was beginning to run which in 1892 swept the Republicans altogether from power. Once again, for the third time, when it came to the nomination of presidential candidates, the Democrats nominated Mr. Cleveland; for a second time the Republicans nominated Mr. Harrison; and the result of the elections of 1888 was reversed. The popular vote for Mr. Cleveland exceeded that for Mr. Harrison by less than three hundred thousand in a total vote of more than twelve million, but the turning about of opinion had been singularly widespread. Every State accounted doubtful in its choice between parties had given its electoral vote to Mr. Cleveland, and his minority of sixty-five in the electoral college of 1888 was turned into a majority of one hundred and ten. Colorado, Nevada, Oregon, Idaho, North Dakota, and Kansas had cast their votes for the candidates of the People's party. In most of those States the Democrats had nominated no presidential electors; they had satisfied themselves with supporting the growing People's party, pleased if by any means they might discomfit the Republicans and half inclined to accept the opinions of their new allies in preference to the opinions of their own leaders.

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The People's party, which the newspapers of the country promptly dubbed "Populist," had put forth a platform which demanded that the federal government should itself acquire the ownership of all railways, telegraphs, and telephones, that the free coinage of gold and silver at the ratio of sixteen to one should be accorded by law, that a graduated income tax should be established, postal savings banks created, and all lands held by aliens, or by corporations in excess of their needs, reclaimed-a radical programme which jumped with the humor of hundreds of thousands of workingmen and farmers the country over. It was noted how universal a defection there was from the Republican ranks in the West. Those who knew how opinion moved there said that even those who had voted for the Republican electors and the Republican nominees for Congress had done so rather out of habit or conservative temper or the hope that time and the influences of opinion would bring their leaders to a creed and policy like that of the advocates of free coinage and of governmental restrictions upon the railways and upon organized capital than because they still believed in the doctrines professed from of old by their party.

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There was apparently no reason why they should not entertain the hope, at least with regard to the coinage. The platforms of both the Republican and the Democratic nominating conventions spoke very strongly for the continued use of both gold and silver as money and for some arrangement which should maintain them at an equality in value, and the language which they held in the matter might without too much ingenuity be made to square with almost any policy. The Republican platform spoke of the use of both the metals"with such restrictions and under such provisions, to be determined by legislation, as will secure the maintenance of the parity of values of the two metals, so that the purchasing and debt-paying power of the dollar, whether of silver, gold, or paper, shall be at all times equal." The Democratic platform spoke of making the units of the coinage of the two metals "of equal intrinsic and exchangeable value, adjusted through international agreement or by such safeguards of legislation as shall ensure the maintenance of the parity of the two metals and the equal power of every dollar at all times in the markets and In the payment of debts." No doubt experiment was in the air and radical experimenters might, if they were but shrewd and persistent enough, gain control of either party as opinion made head. After the party conventions had met and spoken (July 1, 1892) the Republican Senate passed a bill which provided for the free coinage of all silver brought to the mints, the repeal of the Sherman Act, and the coinage of all the bullion purchased under its terms. The Democratic House declined to consider the bill, by a vote of 154 to 136, but rather, it was suspected, because its leaders thought it prudent to await the result of the presidential election than because there lacked advocates of free coinage enough to pass it.

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For the moment Democratic advocates of "free silver" stood embarrassed by their candidate. Before the nominating conventions had met Mr. Cleveland had spoken his mind very clearly, very positively, as was his wont, upon the monetary question. He had given out for publication a brief letter which spoke in terms which no one could possibly mistake against any such tampering with the standards of value as the People's party and their secret partisans within the Democratic and Republican ranks desired. His personal friends had wished him to make no public announcement of his views, had begged him not unnecessarily to commit himself upon a question upon which his nomination might turn; but he had rejected their counsel with a sort of scorn and had uttered his conviction in the matter with that fearless decision and that unequivocal way of speech which the country most admired in him. He had been nominated, nevertheless, taken upon his own terms, and the country's knowledge of his conviction in that critical matter had probably saved his party the discrediting suspicion which the fusion of Democrats with Populists upon the Pacific coast might have brought upon it.

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The country had never needed a man of his fibre more. It had reached a sharp crisis of opinion, and crises in affairs followed fast which no man without courage and steadfast character could have swung the government clear of. The four years which followed Mr. Cleveland's second election were among the most remarkable years of peace the country had ever seen. Disorders of the most serious character, alike in business and in politics, had within that brief space their sharp culmination; foreign questions of the most delicate and critical kind unexpectedly arose; society itself seemed upheaved by forces which threatened it with lasting injury; and amidst parties which seemed without leadership or cohesion the President alone stood firm and spoke definite counsel.

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The Democrats had come into power again upon a definite issue, the issue to which Mr. Cleveland had given such sharp definition in his famous message of 1887, the issue of the tariff. Upon no other matter so much as upon that had the voting turned; upon no other matter did the Democrats bear so unmistakable a commission from the country. But Mr. Cleveland saw that the matter which called first and most imperatively for action was the financial situation of the government and of the country. The financial experiments of the last fourteen years had begun to bear fruit in abundance. There were outstanding some five hundred million currency notes of the government which it was obliged upon demand to redeem in gold; and yet even when once redeemed they were not cancelled. The law directed that they should be issued again, to come back once more, if their holders chose to present them, to be redeemed in gold. Gold was constantly demanded, and in immense sums which seemed to grow ominously from quarter to quarter, not only for profitable export and to pay foreign balances, but also as a safe fund against what might happen when the crash should come which every observant man feared to be at hand. The government was obliged by the Sherman Act of 1890 to buy four and a half million ounces of silver every month and pay for them in notes which the Secretary of the Treasury knew that he must redeem in gold on demand if he would keep panic off. So soon as the government ceased paying in gold the artificial "parity" between gold and silver which the laws sought to maintain would be destroyed; silver would, in effect, become the only standard of values, the only medium of exchange; every piece of property in the country, tangible or intangible, would lose half its value; and credit would collapse. And yet how could the government keep itself supplied with gold? Very few of its debtors were obliged to pay in that coin; it could replenish its diminishing stock only by borrowing, and could borrow only by the issue of bonds made payable "in coin" of which lenders might well grow shy as they saw politicians grow less and less firm in their resistance to the demands of the advocates of the free coinage of silver.

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It was clear enough what Mr. Cleveland thought and intended, but it was by no means clear that Congress would willingly lend him its aid. He led a party in which silver advocates abounded, men who lived remote from the seats of trade and knew nothing of its laws. It was not certain that the Republicans were any stiffer in their resistance to the pressure of radical opinion in the matter of the coinage. What might happen when it came to actual legislation by Congress who could foresee? Early in June, 1893, Mr. Cleveland announced his purpose to call Congress together in extraordinary session for the consideration of the finances. On the 26th of June the authorities of India closed their mints to the free coinage of silver, and the price of the metal dropped as it had never dropped before. On the 30th of June the President summoned Congress to meet on the 7th of August. The silver mines of the West were promptly closed, and thousands of miners were thrown out of employment, to be taken care of and become a serious menace to order in the nearby cities, into which they crowded hungry and forlorn. The greatest excitement prevailed in the West. Before Congress assembled conventions of the advocates of silver had been held in Denver and Chicago which protested vehemently against Mr. Cleveland's evident intention to have the law which obliged the Treasury to purchase silver set aside, and declared that he was acting in concert with the eastern bankers to thrust silver altogether out of use as money. They demanded that, should the Sherman Act be repealed, the free coinage of silver should be substituted. When Congress assembled it was noted that the ordinary party lines seemed for a little while almost to disappear. The advocates of silver coinage acted together in both houses without regard to their differences upon other subjects, and acted with the ardor of men who serve a cause.

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Mr. Crisp, whom the House chose Speaker, was of the silver group within his party, but felt bound, as the party's official leader in matters of legislation, to give the President all the support the authority of the speakership could afford. Mr. Cleveland asked for a single, specific act of relief, the repeal of the purchasing clause of the Sherman Act of 1890, and Mr. Crisp held together as he could the members who were inclined to meet the crisis as the needs of the Treasury seemed to demand. Public opinion out of doors pressed uncomfortably, too. Panic had already come in the money market, and the business of the country was suffering the consequences. A repealing bill was introduced on August 11th, and on the 28th was passed, by a vote of 240 to 110, so sensitively did the House feel the airs of opinion and the necessity for acting in good faith with the President for the relief of the Treasury. But the Senate would make no such show of compliance. There the silver men mustered so strong that it was not clear until the autumn had come that a majority for repeal could be obtained at all, and every delay known to the leisurely rules of the body was made use of to hold action off. Meanwhile the country took the consequences. Credit collapsed; loans could nowhere be obtained; the very currency seemed to disappear, being hoarded and kept out of the currents of trade in such extraordinary quantities that those who needs must have it were obliged to pay a premium for its use and the banks used clearing house certificates in its stead. Failure followed failure. The very processes of manufacture stood still. Business men knew not what to do. The business of the country was sound; its resources were untouched. There had been no speculative flurries, no irregular operations that could justify panic or impair confidence. Nothing was awry except the public finances: men could not be sure of the value of the money they handled. It was not certain that the government would not put all exchanges upon, the silver basis. The worst was over before the Senate acted. Business of sheer necessity recovered its tone; and when at last, at the very end of October, the repeal became law, trade and manu facture began to stir again with reassuring evidences of returning life.

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But the results of panic and failure were not stayed. A Treasury report of the 19th of October showed a falling off in the revenues, as compared with the estimates, during the preceding three months, which would mean, if continued, a deficit of $50,000,000 for the fiscal year. Every industry was slackened, imports had fallen off, foreign capitalists were withdrawing their investments. It was hardly a propitious time at which to undertake a revision of the tariff. The Democrats were pledged, nevertheless, to undertake it. That was the only reform to which they were explicitly pledged; they had majorities in both houses, and Mr. Cleveland was President. The financial legislation most immediately and imperatively needed was out of the way, and the field was apparently clear before them. They could not face the country again upon the tariff issue should they fail to redeem their promises in the matter of the reduction of the duties. The House Committee on Ways and Means had begun the preparation of a tariff bill during the special session at which the battle against the purchase of silver had been fought out, and before the time set for the regular session of December had made public the terms of the measure they meant to propose. In the House there was little difficulty in pressing it to its passage. Reported early in January, it had passed by the 1st of February, together with an internal revenue bill meant to make good the estimated reductions in the receipts at the ports. It was a genuine measure of reform. It proceeded upon the principle that the raw materials of manufacture ought for the most part to be entirely freed from duty; that there should be throughout the whole list of dutiable articles as considerable a reduction of duties as a prudent regard for vested interests would permit; and that duties should be ad valorem rather than specific in order that the burden of the consumer might in every case be clearly calculable. Coal, iron ore, and sugar were put upon the free list. The internal revenue bill associated with the revision embodied, as its chief features, a tax upon incomes and an increased excise on distilled spirits.

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The trouble came, as before, in the Senate. There the disintegration of the Democratic party was evident as it was not evident in the House. Senators allowed themselves to be attached to particular interests, put party pledges aside very lightly, acted like men who had forgot the compulsions of political principle and played each for his own benefit. Before the measure got out of their hands they had altered it almost beyond recognition. They had put in once more an elaborate schedule of duties on sugar, had taken coal and iron ore from the free list, had changed ad valorem duties to specific, and had all through the bill made alterations which increased the rates of duty proposed by the House, each senator exerting himself, as it seemed, to secure protection or advantage for the industries of his own State. The average rate of duty under the McKinley Act had been about 50 per cent.; the House bill had reduced it to about 35 1/2 ; the changes made in the Senate increased it to about 37. It was not the general increase of rates effected in the Senate that held the attention of the country so much as the very noticeable activity of a group of senators in the interest of the sugar manufacturers and dealers. There was manifestly no thought of either party interest or public duty in what they did; they were acting in some private interest, it was to be feared upon some private motive,—were heeding, not their party leaders, but the representatives of a particular industry who had obtained a hold upon them which could not be shaken. Their headstrong, stubborn rejection of political obligations wrecked the Democratic programme and utterly discredited their party. The House, in despair of getting anything better, accepted the mutilated bill which came from their hands (August 13, 1894), and the President suffered it to become law without his signature.

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The internal revenue Act, with its provision for an income tax, had gone through both houses as a part of the tariff measure; but it stood as law only nine months. The income tax was at once challenged in the federal courts, test cases were hurried to a conclusion, and on the 20th of May, 1895, the Supreme Court declared it unconstitutional. It was a reversal of former decisions. A tax upon incomes had been among the innumerable taxes adopted to support the war for the Union, and the court had then deemed the tax permissible. But it now took another position. The tax was, it said, a direct tax; the constitution provided that direct taxes should be apportioned among the several States in proportion to their population; and, inasmuch as this tax was not so apportioned, it was unconstitutional. Without the income tax the deficit caused by the reductions of duty just effected could not be made good, and the financial position of the government became more difficult than ever. There was not likely to be revenue enough to meet the expenditures, which Congress had voted as lavishly as if the Treasury were full to overflowing.

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The repeal of the silver purchasing clause of the Sherman Act had only in small part relieved the embarrassments of the Treasury. There was still the unending difficulty of maintaining the gold reserve, the "endless chain" of Treasury notes coming in to be redeemed in gold and immediately paid out again to be presented at their holders' pleasure for more gold, always being laid for and yet never redeemed. The President, in a special message of the 28th of January, 1895, very earnestly requested Congress to authorize the Secretary of the Treasury to sell bonds for the replenishment of the gold reserve which should be explicitly payable in gold at their maturity and therefore sure of sale at a handsome premium, and also to authorize the retirement of the notes, instead of their reissue, upon redemption, in order to stop in part at least the inroads upon the reserve. But the houses would do nothing. The advocates of silver coinage were strong enough in both houses to block what legislation they chose, and regarded Mr. Cleveland as their arch opponent. They would allow nothing to be done to relieve the embarrassments of the administration.

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For the first time since the war for the Union, for the first time in thirty-two years, the Democrats controlled both houses and the presidency; and yet Mr. Cleveland seemed like a President without a party. Some attributed it to his lack of tact, his aggressive independence in action, his too confident initiative, his way of using his power as if he were under no obligation to his party associates to consult or consider them. He did, in fact, hold upon occasion very strictly to the literary theory of the constitution, the theory which the makers of the constitution had accepted from M. Montesquieu. He regarded the legislative and executive departments of the government as by intention set apart from each other and meant each to exercise an independent judgment and discretion in the performance of the duties which fell to it, cooperating, indeed, but not compounding, not parts of a party system, ministry and majority, but the balanced checks of a carefully devised mechanism of legal action. He had never had the point of view with regard to executive functions which is natural to a member of a legislative body. As mayor, as governor, and as President, he had always conceived it his function to check legislative action rather than guide it, had thought of himself always as an administrative officer, not as a party leader. It was noticeable that he made up his cabinets upon that theory. In his first cabinet there had been men like Mr. Thomas F. Bayard, of Delaware, Mr. Lucius Q. C. Lamar, of Mississippi, Mr. William F. Vilas, of Wisconsin, and Mr. Don M. Dickinson, of Michigan, who had been chosen in accordance with well recognized precedents in such matters: because of their service in party counsels; but the rest were men, so far as might be, of his own personal selection, whom he chose, not for their influence among politicians or in political canvass, but because he knew their efficiency as men of business. In his second cabinet the element of personal choice was still more noticeable. The Secretary of State had been a distinguished federal judge, and had been in the cabinet of Mr. Arthur,—had but the other day turned from his former Republican associates to support Mr. Cleveland, a fresh recruit in the Democratic ranks. The Secretary of War had in his previous administration been Mr. Cleveland's private secretary. The Postmaster General had been his partner in Buffalo in the practice of law. The Attorney General was one of the leaders of the bar of Massachusetts, no politician, a great lawyer merely. The President's object was to surround himself, not with a party council, but with capable heads of departments.

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No doubt he seemed to members of his party in Congress a trifle too separate and absolute. He did not seem to regard it as any part of his constitutional business to be forever arranging agreements between the Executive and the houses. He held to a very strict principle of duty in every matter upon which he was approached, deeming his connection with his party in some sense broken or suspended so long as he was President, in order that he might serve the country as a whole without any too sensitive scruples as to the effect of his decisions upon coming elections. It was inevitable, since he held himself so and swung free of party advice when he pleased, that he should seem to put his own judgment above that of the congressmen who approached him. Sometimes he would patiently confer, persuade, and come to terms of agreement; but at other times he would decline with a noticeable touch of impatience to take any part in the arrangement of legislative plans, and in effect bid members of the houses go their own way while he went his.

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CS>But his action in such matters grew out of the situation in which he found himself as much as out of his theory with regard to his office and his natural temperament in dealing with men who did not act upon fixed conviction, as he did, but rather upon considerations of political or personal expediency. His party was in fact going to pieces and turning away from him, under the compulsion of forces over which he had no control. The business of the country had fallen dull and inactive because of the financial disquietude of the time. A great poverty and depression had come upon the western mining regions and upon the agricultural regions of the West and South. Prices had fallen; crops had failed. Drought swept the western plains clean of their golden harvests. Farmers in the districts most stricken could not so much as buy clothes for their backs, and went clad in the sacks into which they would have put their grain had they had any, their feet wrapped about with pieces of coarse sackcloth for lack of shoes. Men of the poorer sort were idle everywhere, and filled with a sort of despair. All the large cities and manufacturing towns teemed with unemployed workingmen who were with the utmost difficulty kept from starvation by the systematic efforts of organized charity. In many cities public works were undertaken upon an extensive scale to give them employment. In the spring of 1894 "armies of the unemployed" began to gather in the western country for the purpose of marching upon Washington, like mendicant hosts, to make known to the government itself, face to face, the wants of the people. The dramatic plan seems to have been originated by one Coxey, of Massillon, Ohio, who announced that he would lead an "Army of the Commonweal of Christ" to Washington to propose that the government issue $500,000,000 in greenbacks to be paid out for work upon the public roads, In order that the country might at one and the same time be supplied with serviceable highways and abundant money. On the 25th of March he actually set out, and by the 1st of May was at the capital. A hundred men began the journey with him, and their ranks had swelled to three hundred and fifty by the time they entered Washington. They made no disturbance. Most of the towns and villages on their way supplied them with food, partly out of charitable good humor, partly in order to speed them on their way and be quit of them, lest they should linger or grow ugly in temper; good natured sympathizers and men who wished to see the comedy played out subscribed funds for their most urgent needs. The painful farce was soon over. Their errand of course came to nothing. They reached Washington to find that there was nothing that they could do, and dispersed. But their example was imitated with less harmless results. Other "armies" gathered, in more sullen mood, to take their turn at marching and living upon the country as they went. Some started from the faraway coasts of the Pacific. Railway trains were seized to afford them transportation across the mountains and across the long plains where marching would be most painful, tedious, and unprofitable. Country-sides experienced a sort of panic at their approach. It began to seem as if there were no law or order in the land. Society itself seemed demoralized, upset.

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It was in such an atmosphere that political opinion altered, that parties dissolved and were reconstituted with many a novel purpose of reform. And yet the President moved in all matters which it fell to him to act upon with a vigor and initiative which made the years memorable. Strikes had been added to the other disturbances of the time. From April until June, 1894, a strike of the bituminous coal miners, two hundred thousand strong, threatened to embarrass the industries of the whole country. Many manufacturing establishments were obliged to close for lack of fuel. Some of the railways seized the coal which they were carrying as freight for use in feeding the fires of their locomotives. On the 11th of May a strike of the employees of the Pullman Car Company, of Chicago, began which presently became a very formidable affair. The strikers and their sympathizers mustered in dangerous numbers and made concerted effort to prevent the use of the cars of the Pullman Company by any of the rail- ways running out of Chicago. Their violence seemed about to stop all traffic on the western roads, ant Mr. Cleveland intervened. The governor of Illinois had not asked for his aid, had not even called out the militia of the State to maintain order and protect property,—sympathized, indeed, with the strikers and resented interference. Neither had the federal courts acted or asked for assistance in the execution of their writs. Mr. Cleveland deliberately took the initiative and assumed the responsibility, on the ground that the strikers were preventing the movement of the mails and blocking the course of interstate commerce, and that the carrying of the mails and the protection of commerce between the States were indisputable duties of the federal government. He ordered federal troops to the points of greatest violence and danger, and, when their mere presence and mere action as armed police did not suffice to check the mobs that aided the strikers, he issued a proclamation which practically declared the disturbed regions in a state of insurrection and threatened merciless action against all rioters as against public enemies. Order was restored and the law prevailed again.

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In foreign affairs Mr. Cleveland exhibited the same firmness and decision, and had given the country a touch of his quality at the very outset of his term of office. One of his very first acts had been to withdraw from the docket of the Senate the treaty which Mr. Harrison had submitted to it for the annexation of the Hawaiian Islands to the United States. That treaty was the culminating transaction of a singular revolution. The Hawaiian Islands were subject to a sovereign queen whose power had been reduced by constitutional changes to the merely administrative function of executing the laws passed by a representative chamber, to which, and not to herself, her ministers were responsible. Property and political power in the Islands had, by processes which seemed to change the very character of the kingdom, come chiefly into the hands of foreign ers; and in January, 1893, the queen determined to promulgate, upon her own sole authority, a new constitution which should deprive them of the suffrage and bring the legislature again under the control of the crown. The foreigners at Honolulu, the capital, chiefly Americans, at once bestirred themselves to defeat her purpose and get the government into their own hands, and the resident minister of the United States lent then, his open aid. Marines and pieces of artillery were ordered on shore from a United States man-of-war lying in the harbor; under their protection a revolutionary provisional government was set up which thrust the queen aside "until terms of union with the United States had been negotiated and agreed upon"; and on the 16th of February, 1893, but a little more than two weeks before the expiration of his term as President, Mr. Harrison hurried a message to the Senate submitting an annexation treaty and recommending its ratification. Meantime, on the 9th of February, the minister of the United States at Honolulu, acting without instructions, had proclaimed a protectorate of the United States over the Islands.

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On the 4th of March Mr. Cleveland assumed the presidency, and promptly withdrew the treaty. A commissioner was at once despatched to Hawaii to ascertain the full facts of the extraordinary transaction, and on the 18th of December, 1893, the President submitted his report to Congress, accompanied by a message if, which he emphatically repudiated and condemned what the minister of the United States had taken it upon himself to do in the name of his government to put the revolution afoot. Had the displaced queen consented to a general amnesty and security of rights as the condition of her restoration, as Mr. Cleveland proposed, he would have undertaken to undo what the minister had done; but she would consent to no terms whatever, and all things stood as they were, in the hands of the provisional government, self-constituted and born of revolution.

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Eighteen months elapsed, the country saw the anxious summer of 1894, another winter brought the Treasury of the United States once again within sight of an exhaustion of its supply of gold, and then (July-December, 1895) a question of foreign policy came under the President's hand which might have embroiled two kindred nations in a great war. Once more the singular energy and decision of Mr. Cleveland's character were made evident, and the country was thrilled. For year after year through a long generation the English government had disputed with the government of Venezuela the western boundary line of British Guiana. From stage to stage of the controversy the line of the British claims had been pushed forward. Again and again, through one administration after another, the government of the United States had used its good offices to bring the controversy to a pacific and satisfactory conclusion. Ever since the famous declaration of Mr. Monroe, in 1823, it had been understood that the government of the United States would make it its business to see to it that no European power extended its dominion or acquired fresh territory in the Americas. It had not undertaken to maintain an actual formal protectorate over the South American states, but it did frankly undertake to act as their nearest friend in the settlement of controversies with European nations, and no President, whether Republican or Democratic, had hesitated since this critical dispute concerning the boundaries of British Guiana arose to urge its settlement upon terms favorable to Venezuela. The government at London had put settlement off, had frequently shifted its ground in the controversy, had always spoken of moderation, and yet had conceded nothing, had refused arbitration and yet had proposed no terms which it was possible for the Venezuelan government to accept. Endless irritation had led to no issue, and the matter seemed without term or solution when Mr. Cleveland uttered the word that concluded it. Earnest and repeated representations to Lord Salisbury having proved of no avail, Mr. Cleveland sent to Congress on the 17th of December, 1895, a message in which he set forth in unmistakable language what he believed to be the duty of the United States in the protection of Venezuelan rights. He had urged arbitration upon Lord Salisbury, as the most equitable, indeed the only possible, means of settling so old and so tangled a controversy; Lord Salisbury had declined arbitration and every settlement except that which conceded the full claims of England; it was necessary, therefore, the President declared, that the government of the United States should ascertain for itself the merits of the controversy, and, having reached a conclusion, insist upon its acceptance at whatever cost.

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A thrill of intense excitement and enthusiasm shot through the country. Neither house of Congress was any longer of the President's party. The autumn elections of 1894 had replaced the heavy Democratic majority of 1892 by a Republican majority of one hundred and forty in the House of Representatives, and radical reversals of the majorities in the States had given the Senate also once more into the hands of the Republicans. But the houses forgot party differences in their eager and instant response to the President's Venezuelan message. Within three days after its receipt money had been voted for the commission of inquiry for which he asked, and all the world was apprised how ready the Congress was to support the President to the very utmost in his new and vigorous assertion of the Monroe doctrine. Thoughtful men knew very well how grievous a thing it would be to see the two kindred nations which stood so hopefully together at the front of the world's progress come to the awful grapple of war; no right-minded man in his senses wished to see so signal a catastrophe, least of all the President himself. He was a man of peace; but he deemed peace to be rooted in justice and feared it to be impossible with a nation which rejected the friendly offices of arbitration in a case like this that had arisen. He had in mind, too, the peculiar relations which the government over which he presided had always borne to the states of South America in respect of their dealings with the nations of Europe, and knew that he could not in fidelity relax the rigor of the principle upon which it had these seventy years been its avowed policy to act. It was that, his assertion of the Monroe doctrine in a new aspect, with a new dignity, even if with a new rigor, that caught the almost passionate enthusiasm of the country, and made war unnecessary. Lord Salisbury yielded; the dispute was submitted to arbitration; and Mr. Cleveland had a great triumph. He had exposed a hidden question to the public opinion of two nations, and that opinion had supported him and rebuked Lord Salisbury.

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Mr. Cleveland pushed his belief in arbitration far beyond the individual instance. In the spring of 1895, Mr. Gresham, then Secretary of State, had suggested to Her Majesty's government a general treaty of arbitration in which the two governments should pledge themselves to submit all serious matters of dispute that might arise between them to settlement by an impartial outside tribunal; the sudden heat of the Venezuelan controversy quickened the desire on both sides of the water to carry the plan into execution; and on the 11th of January, 1897, the President had the satisfaction of seeing such a treaty completed and signed. But the Senate rejected it. Mr. Cleveland's term of office came to an end within two months after the exchange of signatures, acid a Republican President succeeded him while the treaty pended. The new President urged the treaty upon the Senate as he had urged it, but it was rejected, notwithstanding. The Senate would not bind the government to submit its interests in all cases to the decisions of an outside tribunal, and the careful diplomatic work of two governments went for nothing.

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Those closing days of the Democratic administration were darkened by perplexities of foreign policy essentially more serious and difficult to handle than any that were likely to arise between the governments of the United States and Great Britain. The difficulties of Spanish rule in Cuba were growing intolerable. Sharp insurrection had broken forth there in the spring of 1895. It was but seventeen years since the last uprising in the island, which had lasted the ten years 1868-1878, and which had been brought to a conclusion only by promises of radical reform in the Spanish administration. Those promises had not been kept. The reforms instituted had proved delusive. The island was taxed to the uttermost farthing for the support of the army and navy and of the host of Spanish officials who throve as placemen in the innumerable offices of administration. The suffrage that had been granted the native inhabitants and the privileges of self-government which had been accorded them were effectually offset by laws which really put their affairs at the disposal of the Captain General who was their governor; and men who were not within the circles of official influence complained that they could get no privilege, enforce no right, even, which they did not pay for in hard cash. A mere petty fraction of the intolerable taxes they paid was expended upon the public works of the island itself. There seemed no way of reform except by revolution, and no hope even in revolution bless its object were absolute independence. The Spanish government met the insurrection with savage measures of suppression. In January, 1896, Don Valeriano Weyler was made governor and Captain General of the island, and proceeded to take measures of repression which shocked the humane sense of all civilized peoples looking on. Finding that it made no end of resistance merely to harry the country with its vastnesses of forest, swamp, and mountain, he began to destroy every village and habitation of the insurrectionary districts and to drive the women and children who inhabited them into camps of "concentration," where they might be kept under guard and surveillance and held off from giving succor or intelligence to the insurgents, in order that the country might be empty and without homely shelter; and he did not take the precautions of mere prudence and mercy which were necessary to keep fatal diseases and pitiful starvation out of the camps, but let the poor creatures huddled there live for the most part as they could.

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Opinion moved very uneasily in the United States at sight of such things and the President had no mind to ignore them. No one could pretend that it was, or that it ought to be, a thing indifferent to the United States to have chronic rebellion and suffering thus perpetuated from year to year in a populous island lying at their very doors, to which their people were closely bound by trade and all the intimate intercourse of neighbors. Fatal fevers had again and again crossed the narrow waters out of Cuba to the southern ports of the United States because the Spaniards would not look to the proper sanitation of the great towns which lay by the island's harbors, and these distempers of revolution seemed as ill to take the wind of as the fevers themselves. Mr. Cleveland spoke very gravely in his annual message of December, 1896, of the necessity of bringing affairs in Cuba to a final pacification and adjustment. "It cannot be reasonably assumed," he said, that the hitherto expectant attitude of the United States will be indefinitely maintained. While we are anxious to accord all due respect to the sovereignty of Spain, we cannot view the pending conflict in all its features and properly apprehend our inevitably close relations to it, and its possible results, without considering that by the course of events we may be drawn into such an unusual and unprecedented condition as will fix a limit to our patient waiting for Spain to end the contest, either alone and in her own way, or with our friendly cooperation." The phrases were guarded but the meaning was plain. Spain must come to some terms of accommodation with her Cuban subjects or the United States must intervene. Every private effort of negotiation had 'been made to bring peace and concession; the government's words of protest began now to be spoken aloud and before the world.

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It was not yet time to act, and the guidance of action, should action become necessary, must fall to other men. The end of Mr. Cleveland's anxious term was at hand. He left his great office as if with a sense of relief. His party had turned away from him. For two years he had carried the burdens of the government alone. The Republican houses elected in 1894 would do nothing more to make his tasks possible than the Democratic houses had done. Again and again he had asked their assistance in the relief of the Treasury, to protect the gold reserve and steady the business of the country. Plan after plan had been matured by the Secretary of the Treasury, Mr. Carlisle, and the President had sought by every possible means to serve thoughtful opinion and right purposes of reform with regard to the finances. But Congress would accept nothing that he proposed. He had been left to come to what agreements he could with the great bankers of Wall Street for the protection and replenishment of the gold reserve, they alone being able, without legislation, to assist him in that matter. He was obliged to bargain with them like any other borrower to obtain the gold the Treasury needed and control the draughts the banks in their turn made upon it. The strain of the responsibility had been grievous to bear: the whole fabric of credit seemed to rest upon the foundations which he kept so laboriously in repair, and the months seemed very long while the doubtful work went on. When the end came he felt that he had earned his rest and quiet retirement.

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The elections of 1896 had shown, in a fashion the country was not likely to forget, the volcanic forces which had been kept but just beneath the surface while he was President. The issue which had dominated all the rest was the question of the coinage. But that question did not stand alone. It seemed, indeed, but a single item in the agitated thought of the time. Opinion everywhere seemed to have broken from its old moor ings. There had been real distress in the country, long continued, hopeless, as if the springs of wealth and prosperity were dried up. The distress was most marked and apparently most hopeless in the great agricultural areas of the South and West. The prices of agricultural products had fallen so low that universal bankruptcy seemed to the farmers to be but a little way off. There was a marked depression in all kinds of business, as if enterprise were out of heart and money nowhere to be had except among a few great capitalists in Wall Street. Men's minds anxiously sought the cause, and each man reasoned upon it in the light of his own observation and experience, taking his views of matters which lay beyond his own life from the politicians who spoke most plausibly of public affairs. Every established relationship of law and of society fell under question. Did not the law too much favor the combinations of capital by which small dealers and producers were shut out of the markets? Were the courts not on the side of those who had privilege, and against those who had none? Were not the railways the real masters of the producer everywhere, able to make or to unmake him by their charges and discriminations? Was not money scarce because the government would issue none that was not kept to the standard of gold, itself too scarce, too artificially costly to be made the universal medium of exchange?

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The money question was but one of the innumerable questions that crowded into men's minds in that time of agitation, but it seemed the question which lay at the centre of all the rest, and it more than any other gathered passion about it. Men do not think with cool detachment about the financial questions which touch their very means of subsistence. They were easily persuaded that money would be more plentiful, for the individual as for the nation, if scarce gold were abandoned as the exclusive standard of value and abundant silver substituted, so that there should be metal currency enough for all; and they were easily beguiled to dream what a blessed age should come when the thing should have been done. They were not studious of the Jaws of value. They knew that the resources of the country were abundant, that its prosperity came from its own skill and its own wealth of rich material, and that it was getting a certain predominance in the markets of the world. They could not see why it should not be sufficient unto itself, why its standards of value should not be its own, irrespective of the practice of other countries, why its credit should be affected by the basis upon which the currency of other countries rested, or why international trade should dominate its domestic transactions. All the world had in fact become at last a single commercial community. No nation, least of all a nation which lived by trade and manufacture, could stand aloof and insist that an ounce of gold should not be considered more valuable than sixteen ounces of silver when mere fact was against it and the free law of supply and demand worked its will despite the statutes of legislatures. But very few men who did not actually handle the trade of the world saw the inexorable laws of value as they existed in fact. It went naturally with the vast extent of the continent that most men were shut off from a sight of the international forces which governed their economic interests, and a very passion of belief had got abroad that all the economic stagnation of the times could be relieved by the free coinage of both gold and silver at the ratio of sixteen to one.

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It was no ordinary political opinion such as might in any election year come forward to dominate men's votes. It set men's minds on fire, filled them with an eager ardor like that of religious conviction, impelled them to break old associations and seek new comradeships in affairs. Party lines were cut athwart. The Republicans no doubt had their chief strength in the central and eastern States of the Union, where trade and manufacture moved strongest and men were most apt to understand the wide foundations of their business; the Democrats drew their support, rather, from the South and West, where disturbing changes of opinion had long been in progress and where radical programmes of relief were most apt to be looked upon with favor; and yet it was by no means certain that these new opinions upon the money question had not touched Republican voters too deeply to make it prudent for their leaders to take high ground of opposition against them. An extraordinary campaign of propaganda had been been before the year of the presidential election came on. The advocates of the free coinage of silver were early afoot, with the ardor and irresistible zeal of veritable crusaders, to overcome dissent ii, both parties alike and force the country to a common view. A great national conference of silver advocates had been convened at Washington in March, 1895, and had marked the beginning of an organized movement which was carried forward with extraordinary vigor and effect, to control the action of the party conventions. As the year of the elections lengthened towards summer State after State in the South and West declared unequivocally for free coinage, and conservative men everywhere waited with a deep uneasiness to see what the leaders of the national parties would do.

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The Republican convention met first, and in it the advocates of the gold standard won. The convention declared itself "unalterably opposed to every measure calculated to debase our currency or impair the credit of our country, and therefore opposed to the free coinage of silver except by international agreement with the leading commercial nations of the world." Its choice of a candidate for the presidency was not quite so definite an evidence of its purpose with regard to the currency as the words of its platform. It nominated Mr. William McKinley, recently governor of Ohio, and known to all the country for his long service in the House of Representatives, especially as chairman of the Committee of Ways and Means which had formulated the tariff of 1890 against which the Democrats had won at the polls in 1892. Mr. McKinley had more than once spoken and voted on the silver question, and had not shown himself unwilling to consider very seriously the claims of the advocates of the cheaper metal as a standard of value. They had accounted him, if not a friend, at least no determined opponent, at any rate of some of the measures upon which they had set their hearts. But there was no doubt of his great credit with his party as a man and a leader, and his explicit acquiescence in the principles of the platform upon which he had been nominated satisfied the country of his good faith and conservative purpose. The issue was definitively made up.

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Three weeks later the Democratic convention demanded "the free and unlimited coinage of both gold and silver at the present legal ratio of sixteen to one, without waiting for the aid or consent of any other nation," and nominated Mr. William Jennings Bryan, of Nebraska, for the presidency. It acted with singular excitement and swung sharply away from conservative influences. It denounced what Mr. Cleveland had done to save the gold reserve and to check the riots at Chicago as hotly as any Republican policy; spoke of the decisions of the Supreme Court of the United States against the income tax as if it advocated a change in the very character of the court, should power come to the party it represented; and uttered radical doctrines of reform which sounded like sentences taken from the platforms of the People's party. Its nomination for the presidency was significant of its temper and excitement. Mr. Bland, of Missouri, one of the older leaders of the party, and a man whose name all the country knew to stand for the advanced doctrines of free coinage, had at first led in the balloting. Mr. Bryan, though he had been a member of Congress and had spoken in the House upon the coinage question, had made no place of leadership for himself hitherto, was unknown to the country at large and even to the great mass of his fellow partisans, and had come to the convention with the delegation from Nebraska unheralded, unremarked. A single speech made from the platform of the convention had won him the nomination, a speech wrought, not of argument, but of fire, and uttered in the full tones of a voice which rang clear and passionate in the authentic key of the assembly's own mood of vehemence and revolt. It was a thing for thoughtful men to note how a mere stroke of telling declamation might make an unknown, untested man the nominee of a great party for the highest office in the land, a popular assembly being the instrument of choice.

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The People's party also accepted Mr. Bryan as its candidate. It uttered in its platform some radical purposes which the new Democratic leaders had not adopted, but it did not require its candidate himself to accept them. It recognized the coinage issue as the chief question of the moment, and was willing that he should be its spokesman in that. Parties were singularly confused and broken. Two weeks after the Democratic convention a considerable body of Republicans, advocates of the free coinage of silver, rejected in the counsels of their own party, assembled in convention at St. Louis, calling themselves the National Silver party, and there in their turn endorsed the candidacy and the views of Mr. Bryan. Early in September an influential body of men out of the Democratic ranks came together in convention at Indianapolis, calling themselves the National Democratic party, and formulated once more what conservative men believed to be the true traditional doctrines of the Democratic party upon questions of taxation, revenue, and coinage. Men of strong party faith hardly knew which way to turn. The great deep seemed broken up, old landmarks swept away, parties merged, confused, dispersed. Only the Republican party preserved its full historical identity. Its opponents were united in novel, uncertain, motley assembly; it was at least compact and definite.

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The money issue seemed the only issue of the campaign. Party orators spoke often of other things, but upon that they grappled in close, stubborn, impassioned argument. The country had never seen such a struggle to rule opinion. Such excitement, such a stirring of the moral and intellectual forces of the country, on the one side as if to regenerate society, on the other as if to save it from disruption, had never before marked a political campaign. The election even of 1860 had been preceded by no such fever of agitation. The Democrats and their allies had the dramatic advantage. Their candidate made a gallant figure wherever he moved, and went up and down the country, as no presidential candidate before him had ever done, to give the people his own striking version of the doctrines he preached. To the excited crowds which pressed about him he seemed a sort of knight errant going about to redress the wrongs of a nation. There could be no mistaking his earnestness or his conviction or the deep power of the motives to which he appealed. His gifts were those of the practised orator, his qualities those of the genuine man of the people. His strong, musical voice carried his message to the utmost limits of any throng, and rang in a tone which warmed men's blood. There could be no doubting the forces of conviction which lay back of him. Very likely there were many charlatans in the convention which nominated him, and men who acted upon mere expediency, but the crowding ranks in that hall had been made up for the most part of men who deeply believed every word of the radical programme they put forth; and the great throngs out-of-doors who cheered the sentences of that platform with full-throated ardor cheered because they also believed. No one could deny that the country had fallen upon evil times, that the pool man found it harder than ever to live, and that many a law needed to be looked into which put the poor at a disadvantage. The country teemed with men who found themselves handicapped in all they tried to do,—they could but conjecture why. It wad no new thing that multitudes, and multitudes of sensible men at that, should think that the remedy lay in making new laws of coinage and exchange. The battle was to be won by argument, not by ridicule or terror or mere stubbornness of vested interest.

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It was won by argument. The country had never seen such a flood of pamphlets, such a rush of every man who could speak to the platform, of every man who could write into the columns of the newspapers and the pages of the magazines. It was in the last analysis a contest between the radical and the conservative forces of the country, and the conservative forces won. The election day, the 3d of November, saw more than fourteen million votes cast, and of these more than six and a half million were cast for Mr. Bryan. Mr. McKinley received 7,111,607. Every State north of the Ohio and the Potomac and east of the Mississippi gave its electoral votes to the Republican candidate, some of them, like New York and New Jersey, by unprecedented majorities. West of the Mississippi the Republicans carried Minnesota, Iowa, North Dakota, Oregon, and California, and south of the Ohio and Potomac West Virginia and Kentucky. Even in North Carolina and Tennessee the Republican vote leaped up in significant strength. Nowhere did the tide of Democratic votes run as the tide of Republican votes ran in the States where opinion rallied strong to maintain the established foundations of business. Republican majorities were returned again, also, to both houses of Congress; and no one could doubt the verdict of the country.

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It was a singular thing how the excitement subsided when the sharp contest was over and the result known. Never before, perhaps, had there been occasion to witness so noteworthy an illustration of the peaceable fruits of untrammelled self-government, the cheerful, immediate, hearty acquiescence of a self-governing people in the processes of its own political life. Not a tone of revolt was to be heard. The defeated party was content to await another election and abide by the slow processes of argument and conviction, and affairs went forward almost as if with a sense of relief on both sides that the fight had been fought out and settled. Business took heart again. Whatever might be said for or against the free coinage of the two money metals at a ratio which was not the actual ratio of their real relative values, definite assurance as to the policy to be pursued was an indispensable prerequisite to the confident carrying forward of business enterprises; and the verdict of the country had at last been given so decisively that capitalists need, it seemed, have no uneasy misgivings even with regard to the next election, when another four years should have gone by.

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And yet the air had not cleared entirely; the task of the party now restored to full power was not simplified by the mere vote of the people. Questions of internal war and peace were, indeed, past, forgotten. In March, 1896, the houses, Republican though they were, had taken from the statute book the only fragment that remained of confederate disabilities, enacting "That section twelve hundred and eighteen of the Revised Statutes of the United States, as amended by chapter forty-six of the laws of 1884, which section is as follows: 'No person who held a commission in the Army or Navy of the United States at the beginning of the late rebellion, and afterwards served in any capacity in the military, naval, or civil service of the so-called Confederate States, or of either of the States in insurrection during the late rebellion, shall be appointed to any position in the Army or Navy of the United States,' be, and the same is hereby, repealed." It was the final "Act of Oblivion"; affairs would never again turn back to that dab of bitterness and strife. It might be that even the deep agitation with regard to the money question was quieted. But no one could think that the influences which had stirred that troublesome question to such a heat had been set aside by the mere suffrages of the voters.

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Obviously the business world, the whole world of industry, was in process of revolution. America, in particular, had come to the crisis and turning point of her development. Until now she had been struggling to release and organize her resources, to win her true economic place in the world. Hitherto she had been always a debtor nation, her instruments of industry making and to be made, her means of transportation, the vast systems of steel highways which were to connect her fields and factories with the markets of the world, as yet only in course of construction. At the close of the civil war there were but thirty-five thousand miles of railway upon all the vast spaces of the continent; there were one hundred and fifty thousand more to add before its products and manufactures could be handled freely in the world's exchanges, and for that vast increase foreign as well as domestic capital had to be borrowed by the hundreds of millions. Except what her fields produced, the country had as yet but little with which to pay the interest and the capital of her debts: her fields were in some sense the granary of the world. As agricultural prices fell it required more and more food stuffs to pay her balances. In those fatal years of depression, 1893-1896, when business threatened to stand still because of the state of the currency and the crops fetched little more than would pay for their carriage, it was necessary to pay huge foreign balances in coin, and $87,000,000 in gold had had to be shipped over sea to the country's creditors in a single twelvemonth (1893). It was that extraordinary drain that made Mr. Cleveland's task next to impossible, to keep the Treasury reserve unexhausted and yet sustain the currency with gold payments. Not until the very year 1897, when the new Republican administration came in, did the crisis seem to be past. The country had at last built its railway and manufacturing systems up, had at last got ready to come out of its debts, command foreign markets with something more than its food stuffs, and make for itself a place of mastery. The turning point seemed to be marked by a notable transaction which took place the very month Mr. McKinley was inaugurated. In March, 1897, a great consolidation of iron-mining properties, foundries, steel mills, railroads, and steamship lines was effected which brought the country's chief supplies of iron, its chief steel producing plants, and its chief means of transporting steel products to the markets of the continent and of the world under a single organization and management, and reduced the cost of steel to a figure which put American steel factories beyond fear of competition. Steel had become the structural stuff of the modern world: Commanding its manufacture, America might command the economic fortunes of the world.

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It was this new aspect of industry that disclosed the problems Republican and Democratic statesmen were to face for the coming generation. The concentration of capital was no new thing; but the new scale upon which it now began to be effected made it seem a thing novel and unexpected. The control now of this industry and again of that by small groups of capitalists, the growth of monopolies, the union of producers in each line of manufacture for the purpose of regulating prices to their own liking and profit, had been familiar circumstances, familiar signs of the times, these twenty years. The farmers had seen them and had formed their granges, their Alliances, their People's party to protect their own interests, by combination and political agitation, against the huge corporate powers that seemed to be gathering for the conquest of fortune. The industrial workingmen had seen them and had widened their organizations to meet the threat of subjection. The great strikes which followed one another, summer by summer, with such significant regularity were but the reflex of what was taking place in Wall Street, where huge combinations of capital were being arranged; at the manufacturing centres of the country, where the interests of producers were being pooled; at railway centres, where great systems of transportation were being drawn together under a single management. Mines, factories, railways, steamships were now, it appeared, to be brought into one corporate union as a single business. It was the culmination of the process, and seemed to put a new face on all that had gone before, on all that was to follow.

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No wonder thoughtful men, as well as mere labor agitators, grew uneasy and looked about then, to see what control the law could exercise. No doubt there was risk of deeply serious consequence in these vast aggregations of capital, these combinations of all the processes of a great industry in the hands of a single "Trust." No doubt they did give to a few men a control over the economic life of the country which they might abuse to the undoing of millions of men, it might even be to the pennanent demoralization of society itself and of the government which was the instrument of society in the conduct of its united interests. The programmes of socialists and extremists proposed a remedy which was but a completion of the process: the virtual control of all industry and of all the means of transportation by the government itself. The leaders of the People's party, though they professed no socialistic doctrine, demanded government ownership of the railway and telegraph lines of the country, and their expressed desire with regard to the control of "Trusts" smacked of the extremest purposes of experiment in the field of legislation. The Interstate Commerce Act had been a beginning, a very conservative beginning, in the carrying out of what they wished to see undertaken. Neither the leaders of the Republican party nor the leaders of the Democratic party felt that such impulses of reform, such counsels of restriction could be entirely ignored; but neither party saw as yet the prudent and practicable lines of action. It would not do to check the processes which were adding so enormously to the economy and efficiency of the nation's productive work and promising to give her now at last that first place in wealth and power in the world which every son who loved her had predicted she should some day have; and yet it would not do to leave the economic liberty of the individual or the freedom and self-respect of the workingman unprotected.

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The first steps taken by the new administration for the relief of the economic situation were not of the new order, but of the old. Mr. McKinley at once summoned Congress to meet in extraordinary session on the 15th of March, in order to provide the government with additional revenue. He interpreted the elections which had brought him into office to mean that the country desired not only to avoid the free coinage of silver but also to return to the protective system of duties exemplified in the tariff of 1890. The Ways and Means Committee of the House had prepared a tariff bill during the last session, while they waited for the change of administration. Upon the convening of Congress in extraordinary session, Mr. Dingley, their chairman, reported it at once, and by the end of the month it had passed the House and been sent to the Senate. It lingered close upon four months in the Senate and in the conference committee which sat to adjust the differences between the two houses; and when it became law, on the 24th of July, contained no systematic scheme of taxation at all, but merely a miscellany of taxes on the innumerable imports which were to be expected every year out of foreign ports. Its rates, upon the average, rose even above those of 1890. Some articles, like raw hides, Which had been on the free list for a quarter of a century, were again subjected to duty; the sugar men again got what they desired; some duties, like that on flax, were imposed to please the farmers; some, like that on lead and lead ores, to placate the senators who were of the silver interest of the western mining country. Here and there, noticeably in the metal schedules, the rates were left as they had stood since 1894; the duty on steel rails was even slightly reduced, as if the great steel industry at least were counted on to take care of itself. The net result was a return to the highest principles of protection, or, if no principle could be discovered in the Act, at least to its most extreme practices. A year later (June 18, 1898) an Act was passed which created an Industrial Commission whose function it was to be to collate information and to consider and recommend legislation with regard to the many complicated problems presented by labor, agriculture, and the industrial use of capital. An Act had preceded it by some two weeks (June 1, 1898) which made provision for the arbitration of labor disputes between common carriers and their employees engaged in interstate commerce, to avoid, if possible, the difficulties which Mr. Cleveland had been obliged to settle by the use of federal troops. But as yet protective tariffs, inquiry into economic conditions, and provision for arbitration were all that the leaders of the houses had to offer towards the solution of the questions out of which the silver agitation had sprung.

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The attention of the country was for the time being drawn off to other things. There had come a day, the day to which Mr. Cleveland had looked forward and of whose approach he had warned the government of Spain, when the patience of the country with regard to the situation in Cuba was exhausted. Much as the pitiful process of subjugation still dragged, moving as was the spectacle of a fair country devastated to bring, not healing peace, but mere submission, opinion might for a little while longer have been held off from dangerous heat in the matter had not a sudden, startling incident, tragical and full of every element calculated to stir passion, sent a final thrill of excitement through the country. On the evening of the 14th of February, 1898, Saint Valentine's Day, the United States battle ship Maine, lying in Havana harbor upon a visit of courtesy, was blown to pieces, and two of her officers, two hundred and fifty-eight of her crew, killed upon the instant. The most careful investigation failed to disclose the origin of the explosion; but an examination of the twisted wreck made it plain that it had come from no accident within the ship itself. The explosives which had destroyed her had lain beneath her at the bottom of the harbor where she had her anchorage. Within two months Spain and the United States were at war—not because a vessel of the American navy had been destroyed in a port of Spain, but because opinion leaped upon the provocation of that tragic incident from quiet inquiry to hot impatience with regard to all the ugly Cuban business. There was no evidence whatever that any one connected with the exercise of Spanish authority in Cuba had had so much as guilty knowledge of the plans made to destroy the Maine; but that unhappy explosion had changed the whole air of opinion the country through.

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There was no calculating the forces of excitement that were abroad; there was no determining their origin or their real power. No doubt influences were at work which did not wait upon opinion, which made opinion their covert merely and means of justification. Sensational newspapers exaggerated every phase of the disturbing incidents of the time, to make news and increase their sales; men who saw personal gain in store for them amidst the risks of war bestirred themselves to make interest against Spain in the houses at Washington; politicians were quick to say and do what they hoped would enhance their credit and the influence of their party with the country; personal ambitions were not neglected in the eagerness of Congress to make some stroke in behalf of Cuba and for the aggrandizement of the power of the United States in the West Indies. Mr. McKinley had no such mastery as could hold the impulses of members in check. He had spent fourteen years on the floor of the House of Representatives. His point of view with regard to the exercise of his constitutional powers was not that which Mr. Cleveland had exemplified. He did not act as an independent, originative force in the determination of policy, but rather as a power intimately associated with the law-making branch of the government. He was not only sensitive to opinion out-of-doors but also to the intimations of purpose which came to him from the leaders of the houses. The fine quality of the man was evident to all who approached him: his sense of duty, his devotion to the principles which he conceived to be the principles of right action, his kindliness, his modesty, his Christian self-forgetfulness. His unfailing tact seemed to take the sting from the sharpest differences of opinion or of purpose upon whatever matter, and men did not draw off from him because he refused them what they asked or dissented from them in what they thought. But he seemed to stand like a leader who received his ideas, not from his own individual examination of affairs or the action of his own originative powers upon the subject matter of public policy, but from the men about him whom he most trusted, from the subtle airs of opinion abroad out-of-doors, from those who brought him the counsels of Congress and the news of events. There was no Impression of weakness to be got in dealing with him, but an impression of sober sensibility, rather, and of sanguine confidence in the movements of opinion.

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He had diligently pressed upon the Spanish government every argument for peace with its Cuban subjects, for accommodation, for friendly intervention by the United States, for reform and concession in the government of the island that diplomatic usage and international courtesy permitted, and yet the end of the Cuban trouble seemed no nearer than before. He quickened his pace in the business as he saw opinion advance and the houses grow impatient, quickened it very much when the destruction of the Maine put a touch of fever into men's thoughts. Congress was the war making Power: it very soon became evident that it could not much longer be restrained from radical action. Distressing reports poured in every day of the sufferings of the Cuban people, especially in the camps of concentration. The island was nearby: news came fresh from the very scenes of war and desolation. Members of Congress themselves visited the concentration camps and the parts of the island where the insurrection had its chief seats, and told from their places on the floor what they had seen and heard. The President wished to keep the reins in his own hands, but feared every week to see the restive houses break from his control. Fast as negotiation had moved on the heels of the excitement that followed that fatal explosion in Havana harbor it had not moved fast enough to please the impatient spirits who pressed the leaders of Congress for action. Towards the last it had begun to look as if the Spanish government were ready, rather than let the war feeling in the United States put things beyond all possibility of a peaceful solution, to make very substantial concessions to the Cuban insurgents and bring the troubles of the island to an end. But Mr. McKinley doubted the good faith of the concessions offered, found them guarded by proposed processes of execution which might take perilously long in the carrying out, believed that opinion in the country would not justify him in taking any further risks of disappointment, and made a sudden end of negotiation. On the 11th of April, 1898, he asked Congress for authority to put an end to the hostilities in Cuba, and on the 18th Congress declared the Cuban people free and independent and authorized the President to use the military and naval forces of the United States to compel the government of Spain to relinquish its authority and government in the island. The Spanish minister at Washington of course asked for his passports, all diplomatic relations between the two governments were broken off, and on the 25th of April formal declaration of war was made. The resolutions agreed to by the houses in authorizing the President to drive Spain from the island had concluded with this solemn statement of the purposes of the United States: "The United States hereby disclaims any disposition or intention to exercise sovereignty, jurisdiction, or control over said island, except for the pacification thereof, and asserts its determination when that is accomplished to leave the government and control of the island to its people." Intervention had come, not for the material aggrandizement of the United States, but for the assertion of the right of the government to succor those who seemed hopelessly oppressed, to recover the peace and order of its coasts, to free its trade from the trammels put upon it by a war to which there seemed no end, to quiet the thoughts of its own people in order that they might turn again without distraction to their own affairs.

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It was a war of impulse, as any one might see who noted how unprepared the country was for what it had suddenly undertaken. The regular army of the United States numbered but 28,000, officers and men. It fell to volunteers as much as to regular troops to assume the burdens of the field, as in the war for the Union and the war against Mexico fifty years ago. The regular army was increased to more than 42,000 before the month of May was out; but the new men were, of course, mere recruits, and the volunteers mustered faster than the regulars. Before the end of May, in response to the proclamations of the President, more than 118,000 men and six thousand officers had been mustered into the volunteer service, chiefly from the militia of the States, and had been equipped and distributed among the various camps of preparation in which they were to be made ready and await their orders. Congress authorized the increase of the regular army to 65,000 men, and by the close of August more than 56,000 had been mustered in. The volunteer forces had by that time grown to 216,256, men crowding into the ranks from every quarter of the country. It was noted how eagerly the southerners pressed forward for service. Elderly men who had been officers in the armies of the southern Confederacy asked for commands, and got them, under the Act of indemnity passed but two years before. The country was thrilled with a new sense of union and of enthusiasm for a common cause. There was no longer any thought of differences between section and section when the flag was in the field. Those days together in camp and battle set the war between the States another full generation back, into a past now left at last for historians, not politicians, to take care of.

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Before the first season of enthusiasm had gone by the war was over. It was ended before the ranks were full. July was not out before the American troops had had their will in Cuba and Porto Rico, and Spain had proposed terms of peace. By the middle of August Manila, in the far Philippines, had been taken; no Spanish force anywhere resisted the arms of the United States; only the full terms of peace remained to be agreed upon. The navy of the United States had been the first to give the Spaniard a taste of its quality. There had been no question of making it ready for war. It was outnumbered by many of the great navies of the world, but its officers were professional experts trained to proficiency by as thorough a schooling and experience in arms as if war were always at hand; and their ships were of the most modern type and equipment, built where the best steel and the best machinists of the world were to be had. Every stroke that they made told. On the 1st of May, in the grey of the early morning, Commodore Dewey, commanding the squadron of the United States in eastern waters, attacked the Spanish fleet in the bay of Manila, the capital city of the Philippines, and by noon had utterly destroyed it, his own fleet suffering little damage, and without the loss of a single life on his ships. He had entered the great bay under cover of the preceding night, steaming past the batteries which stood guard there upon Corregidor Island and through the long channels where he had been told torpedoes had been set, as he had steamed when a boy with Commodore Farragut past the batteries and the torpedoes at the mouths of the Mississippi. The force of his guns was greater than that of the inferior pieces on the Spanish ships, and but few of their shots took effect; the marksmanship of his gunners made their fire precise and terrible; he led his ships slowly back and forth along the line of the Spaniards' anchorage until the whole fleet he had been bidden destroy lay sunken, burning, and abandoned. That done, the city, with its old-fashioned walls and ancient defences, was at his mercy. It had been a gallant exploit gallantly undertaken, against unknown risks and dangers which he could only guess, against a force whose real power and equipment were not known, and executed with a businesslike thoroughness which caught the imagination of every man who loved thoroughbred service and daring. Congress sent the Commodore increase of rank with its thanks, and troops were hurried aboard the transports at San Francisco to act with him in the capture and occupation of Manila.

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The tasks of the fleets mustered to invest the Cuban ports and convey the troops of the United States to their attack upon the island were by no means so simple. The coasts of the long island had many ports; it was presently known that a Spanish squadron of four armored cruisers and three torpedo-boat destroyers, Under Admiral Pascual Cervera, had left the Cape Verde Islands for the West Indies; it was possible to do little more than guess what port they would make for. There were not vessels enough to watch all the coasts of Cuba and Porto Rico. It might be that the Spanish admiral would first make some demonstration against a port of the United States, and it gave the authorities at Washington and all who thought upon the matter no small concern to think how little had been done to supply the open coast of the continent with adequate defences. As it turned out, Admiral Cervera ran straight into Santiago de Cuba, the southern port of the island, which lay nearest the open seas by which he had approached. The Carribean Sea was wide; the American commanders got word first that he had touched at Martinique, then that he had touched at Curagoa, close by the Gulf of Venezuela; there was no making his course out from that, and he slipped unobserved into Santiago while the American commander-in-chief searched for him off the harbors of Porto Rico. At Santiago he lay almost a full fortnight before his whereabouts was discovered by the anxious American sailors. High hills shut the closed harbor in, and a narrow, winding channel served it for entrance; no ship at sea, no one who did not stand upon the very hills that overlooked the harbor, could discover what craft lay within the hidden bay. But by the 29th of May a flying squadron of the American fleet, under Commodore Schley, had established a blockade of the port, reasonably assured that the Spanish squadron was within, and by the 1st of June acting Rear Admiral Sampson, the commander-in-chief, had arrived, to add his heavier ships to the blockading force and take command.

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The whereabouts of the Spanish fleet determined the point of attack for the army as well as for the men-of- war. General Shafter, commanding the troops assembled at Tampa, in Florida, was ordered to take some sixteen thousand men under convoy to Santiago, 14,000 regulars and 2,500 volunteers, in order that the town with its garrison and the fleet lying in its bay might be taken together, by the joint action of the land and naval forces. There were not sufficient railway facilities for sending the troops to their place of embarkation; there were not harbor facilities enough for the difficult work of embarking the troops where the transports lay; no one in chief command seemed ever to have seriously studied the handling of men and stores upon the great scale; there was infinite delay and confusion and blundering before the expedition was ready to sail. It took an entire week to effect the embarkation, and the ships were held yet another week at their anchorage after the troops were aboard before they finally put to sea, because of false rumors of Spanish cruisers on the coasts they were to approach. But by the 14th of June they were under weigh, and by the morning of the 20th were off the coasts where they were to be put ashore. On the 22d, 23d, and 24th they were landed at Daiquiri and Siboney, some twelve to fifteen miles east of the town of Santiago, and their painful work began. The country through which they had to pass was broken into abrupt and difficult hills; the roads were hardly more than bridle paths, and ran through thick tangles of tropical undergrowth. The flooding rains of the region were likely at any time to render them impassable and cut the troops off as they advanced alike from further movement upon their objective and from communication with their base of supplies at the rear where the transports lay. The distempers of the unfamiliar climate took immediate hold upon them, and sapped their strength. There were not surgeons or nurses or medical stores enough, and the lack of organized and efficient means and methods of transportation worked an injury there worse by far than it had worked at Tampa. At Tampa the blundering and mismanagement had been stupid, irritating; here they were deeply tragical. It was pitiful what rank and file alike had to endure, with stores unpacked, untouched at the rear, and medicines left where they could be of no service. But pluck and intelligence carried the regiments forward to the overcoming of difficulties and the winning of battles there as they had carried the men like them who went with General Scott to the conquest of Mexico fifty years before. Division commanders proved more efficient and resourceful than their superiors in command; privates knew their duty without orders, shifted for themselves in camp, at mess, and on the march like men who did not need to be cared for, endured what came to them without murmur or discouragement, and involved like those who act confidently without command, carried forward by their own wits and courage and habits of concerted action.

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By the morning of the 1st of July the decisive movements of the attack were planned and begun and by the evening of that day an advantage had been gained which made it certain what the end must be. The town of El Caney and the strong hill of San Juan had been stormed and taken, the one commanding the road to Guantanamo, by which the garrison of the city might expect succor, and whence they could threaten the flank of any force that moved direct upon Santiago, the other commanding the straight approaches to the city itself. El Caney lay in a position of natural strength and was protected by strong block houses, a stone fort, a stone church, itself a sort of fort loopholed for rifles, and long lines of trenches cut in the solid rock. The hill of San Juan stood steep and guarded, crowned with a block fort set about with a maze of barbed wire entanglements. The American troops, in whatever direction they moved, had either to block one another's way massed in the narrow miry roads or else to deploy as best they could in the tangled undergrowth of the tropical forests; and came into the open close by the enemy's position only to expose themselves to a galling fire from foes lying unseen and protected. They had no support from artillery; each position they attacked had to be taken by cool, dogged assault; but the thing was congenial to their spirits, and was done with the steadfast pluck and the unfaltering audacity of men who did not know how to fail or turn back. The general officers who planned and ordered the movements knew, it presently turned out, neither the topography of the country nor the exact position and strength of the enemy; but the men and their immediate commanders made all mistakes good and took what they found. On the 2d the American lines were still further advanced, and an assault by the Spaniards was repulsed. On the 3d General Shafter summoned the commander of the town to surrender; but General Toral had received reinforcements from the east and refused.

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That same day the Spanish admiral, fearing himself trapped where he lay, put suddenly to sea, hoping by forcing his craft to their speed to run down the coast to the westward and show the American commander his heels before the blockading fleet could close upon him. But the first glimpse of his smoking funnels in the channel brought the fleet in the offing to the chase. The commander-in-chief was for the moment away, in his flagship, upon an errand to the eastward; Commodore Schley was in immediate command of the blockade. It was Sunday morning a little before ten o'clock and the men were at quarters for inspection. They sprang to the work of chase and battle with a cheer, and within eight minutes the ships within range had opened fire. Hardly a signal was needed. The Spaniards swung in order down the coast; the American ships followed from their places in instant succession, each captain selecting the Spaniard he could most speedily get within range of for target. The foremost and fleetest of the Spanish vessels was overhauled and forced ashore upon the rocky coast within four hours of its exit from the port; the vessels which followed her had been destroyed before the fight was two hours old. The American gunners, pouring in a fire constant, precise, overwhelming, had cut the fire mains or ignited the ready ammunition or sent destroying heat and ruin to the machinery of the craft they chased, and they were one after the other run aground, burning fiercely fore and aft. It took as gallant work to get their crews off and succor them in their desperate peril as it had taken to bring them to their sudden fate. Six hundred Spanish officers and men lost their lives, killed or drowned; more than seventeen hundred were taken off the burned and ruined vessels as prisoners.

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Two weeks more and Santiago, with all the eastern posts and districts of Cuba, was in the hands of the Americans. Reinforcements came in to General Shafter which swelled his numbers to 21,000, and a complete line of investment was drawn around the city. His guns had at last come up. Eighteen thousand women, children, and foreign residents were allowed to pass through his lines before he opened siege fire; but when the bombardment did begin it came at intervals from the heavy guns of the fleet as well as from the batteries on the hills, and the end was inevitable. Negotiations for surrender were opened on the 12th, and on the 17th not only the town itself but also all the eastern posts were rendered up. On the 21st of July Major General Miles sailed from Guantanamo Bay with a small force for Porto Rico. There he was joined by reinforcements out of the United States, and the southern and western portions of the island were taken possession of without opposition, the inhabitants even receiving the American troops with open enthusiasm. News of the arrangement of preliminaries of peace stopped all hostile movements before the occupation could be completed. On the 26th of July overtures of peace had been addressed by the Spanish government to the government of the United States through M. Cambon, the French minister at Washington; and on the 30th definite terms of peace were proposed from the same source. In August most of the troops in Cuba were hurried back to the United States to arrest the alarming progress of malarial fever, dysentery, and yellow fever among them; and the war seemed over,—except in the Philippines. On the 12th of August a peace protocol was signed at Washington.

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In the Philippines Admiral Dewey had waited until troops should be sent which could capture Manila and take military possession of the islands. But he had not waited without armed allies. The Philippines, like Cuba, had been the scene of frequent rebellions against Spanish rule. Peace was, indeed, but a little more than four months old when Commodore Dewey received his orders from Washington to attack the Spanish naval force in eastern waters, and Emilio Aguinaldo, the one-time chief of the insurgents, was at hand, in Singapore, should the American commander wish to avail himself of his advice and aid. Commodore Dewey sent Aguinaldo word to follow him to Manila with all possible despatch, and he was given passage from Hong Kong on the American gunboat McCulloch. His influence with the people of the island of Luzon was well known. Young man though he was, scarcely turned of twenty-nine, they were his to command, so strong a hold had his frank manners, engaging interest in reform, and subtile Power to turn men to his way of action taken upon them; and, for lack of troops from over sea, the American commander was willing to supply him with arms and ammunition and put the men whom he should muster in a position to hold the country round about the city until the transports should come out of America and all things should be ready. To make such an arrangement was to play with fire. It was not clear, it could not be clear, what was to be done with the insurgent army thus set afoot again by American aid when the troops of the United States should arrive and the conquest of the islands be finally made.

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Moreover, judicious lookers on wondered not a little to see the plans of the war so widened. Commodore Dewey had been commanded to destroy the Spanish fleet in the East; but he had not, so far as any one had heard, been told to take Manila and set an insurrection afoot in Luzon. It was significant that troops were at once hurried aboard the transports at San Francisco,—significant of the broadened scope and purpose of the war as viewed from Washington. It was not to stop with the relief of the Cubans. Troops were to be sent to the Philippines to take military possession of them. General Miles had been ordered from Cuba to Porto Rico. The power of the United States, once afield, was sweeping the island possessions of Spain into its sudden empire on both sides of the world. By the 13th of August, the day after the peace protocol was signed at Washington, all things were ready for the hostile movement at Manila and the place was easily taken by the American troops, Aguinaldo's forces looking on and doubting their part in the venture. When the peace commissioners met at Paris in the autumn to frame their final agreements, the United States demanded and got all that their arms had touched: Cuba for the Cubans, Porto Rico and the Philippines, and the tiny island of Guam by the way, for their own possession. While the armies of the United States still lay with their lines drawn about Santiago (July 6, 1898) a joint resolution had passed the two houses of Congress which provided for the annexation of the Hawaiian Islands to the United States and consummated the revolutionary process to which Mr. Cleveland had for a little while given pause.

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Of a sudden, as it seemed, and without premeditation, the United States had turned away from their longtime, deliberate absorption in their own domestic development, from the policy professed by every generation of their statesmen from the first, of separation from the embarrassing entanglements of foreign affairs; had given themselves a colonial empire, and taken their place of power in the field of international politics. No one who justly studied the courses of their life could reasonably wonder at the thing that had happened. No doubt it had come about without premeditation. There had been no thought, when this war came, of sweeping the Spanish islands of far-away seas within the sovereignty of the United States. But Spain's empire had proved a house of cards. When the American power touched it it fell to pieces. The government of Spain's colonies had everywhere failed and gone to hopeless decay. It would have been impossible, it would have been intolerable, to set it up again where it had collapsed. A quick instinct apprised American statesmen that they had come to a turning point in the progress of the nation, which would have disclosed itself in some other way if not in this, had the war for Cuba not made it plain. It had turned from developing its own resources to make conquest of the markets of the world. The great East was the market all the world coveted now, the market for which statesmen as well as merchants must plan and play their game of competition, the market to which diplomacy, and if need be power, must make an open way. The United States could not easily have dispensed with that foothold in the East which the possession of the Philippines so unexpectedly afforded them. The dream of their own poet had been fulfilled,

"See, vast trackless spaces,

As in a dream they change, they swiftly fill,

Countless masses debouch upon them,

They are now covered with people, arts, institutions."

The spaces of their own continent were occupied and reduced to the uses of civilization; they had no frontiers wherewith "to satisfy the feet of the young men": these new frontiers in the Indies and in the far Pacific came to them as if bit of the very necessity of the new career set before them. It was significant how uncritically the people accepted the unlooked for consequences of the war, with what naive enthusiasm they hailed the conquests of their fleets and armies. It was the experience of the Mexican war repeated.

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What they claimed was not, indeed, yet theirs in fact. A sullen dismay and discontent had come upon the men who served with Aguinaldo outside the American lines at Manila, and who did not clearly know whether they were allies or subjects. They had not taken up arms, they said, merely to make the Americans their masters instead of the Spaniards, but to make themselves free, and had deemed the Americans their allies in that undertaking. The American commanders had made them no promises, but they had seemed tacitly to accord them the place of allies, and their own hopes had drawn the inference. When they found that those hopes were to be denied them they took their cause into their own hands and set up the government as if of an independent republic with Aguinaldo as their president (September 29, 1898). In February, 1899, a dogged war of resistance began which it was to take the troops of the United States, recruited from season to season till their numbers reached quite 70,000 men, more than three years to bring to an end. But the end was visible from the beginning. As the presidential election of 1900 approached the Democratic party made as if it would stake its fortunes on an opposition to the "imperial" policy of the administration; but it found that the thoughts of the people did not run with it, and turned the force of its effort again, as four years before, to the silver question. Mr. Bryan was again made its candidate, against Mr. McKinley, whom the Republicans had renominated as of course, and it once more demanded in its platform the free coinage of gold and silver at the ratio of sixteen to one. But no one feared now that it would win upon that issue. The hopes and energies of the country were turned in another direction, and Mr. Mckinley was elected without difficulty.

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It was interesting to note with how changed an aspect the government stood upon the threshold of a new century. The President seemed again to be always in the foreground, as if the first days of the government were to be repeated,—that first quarter of a century in which it was making good its right to exist and to act as an independent power among the nations of the world. Now, full grown, it was to take a place of leadership. The closing year of the century (1900) witnessed a great upheaval of revolutionary forces in China. Insurgent bands filled the country, the very capital itself, in protest against the presence and the growing influence of the foreigner, and particularly the occupation of new ports of entry by Russia, England, and Germany,—the dowager empress, the real mistress of the kingdom, acting as their ally. The very legations at Peking were invested in deadly siege by the insurgents; and America, with the other nations whose representatives were threatened, sent troops to their relief. America played her new part with conspicuous success. Her voice told for peace, conciliation, justice, and yet for a firm vindication of sovereign rights, at every turn of the difficult business; her troops were among the first to withdraw, to the Philippines, when their presence became unnecessary; the world noted a calm poise of judgment, a steady confidence as if of conscious power in the utterances of the American Secretary of State; the new functions of America in the East were plain enough for all to see. The old landmarks of politics within the United States themselves seemed, meanwhile, submerged. The southern States were readjusting their elective suffrage so as to exclude the illiterate negroes and so in part undo the mischief of reconstruction; and yet the rest of the country withheld its hand from interference. Sections began to draw together with a new understanding of one another. Parties were turning to the new days to come and to the common efforts of peace. Statesmen knew that it was to be their task to release the energies of the country for the great day of trade and of manufacture which was to change the face of the world: to ease the processes of labor, govern capital in the interest of those who were its indispensable servants in pushing the great industries of the country to their final value and perfection, and make law the instrument, not of justice merely, but also of social progress.

THE END