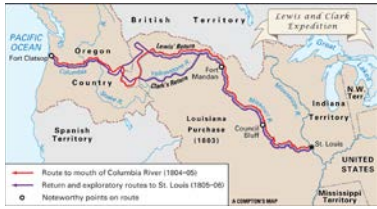


Chapter 41. The Lewis and Clark Expedition Maps a Route to the West Coast (1804-1806)



The Route Followed by Lewis and Clark to Reach the West Coast

Sections

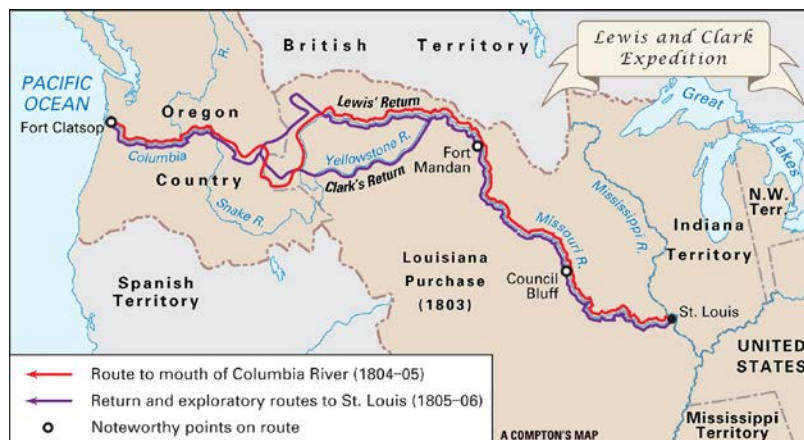
- America Begins to Explore the West
- The Expedition Reaches The Headwaters of the Missouri River
- A Rugged Journey Across the Rockies Leads on to Success
- The Expedition Returns Home

Macro-Themes

- Exploration
- Lewis and Clark
 - Northwest Passage
 - Missouri River

Time: January 18, 1803 to May 14, 1804

Jefferson's Search for a Northwest Passage Gets under Way



From the moment he enters office, the visionary Jefferson is already imagining an America that stretches from ocean to ocean – with this vast territory bound together by the unifying ideals of freedom, equality and self-governance.

To begin to realize this vision, he must first focus on exploring the west. On January 18, 1803, he gains congressional approval to spend \$2,500 on a one-year expedition to complete the task. (The actual effort will take 26 months and cost \$38,722.)

While he himself is a consummate easterner, his interest in mapping the west traces back at least to 1796, when he encourages colleagues at The American Philosophical Society to send expeditions across the Mississippi.

With the opportunity now his, he turns to Meriwether Lewis, to lead the effort. Lewis is only 27 years old at the time, but Jefferson has known and respected his parents in the Meriwether and Lewis families for years. The young man is born only ten miles from Monticello and proves to be a natural backwoodsman. He moves to Georgia for a while, mingling with the Cherokee Indians, then back to Virginia, where he graduates from Liberty Hall College before serving as a Captain in the state militia.

On April 1, 1801, Jefferson hires him as his personal secretary, at a salary of \$500 a year. Lewis lives in the White House, works in the East Room, and dines regularly with the President and his top advisors over the next two years. When Jefferson asks him to head back into the wilderness, he jumps at the opportunity.

Lewis assembles a band of 33 explorers in total, including William Clark, whom he knows from his militia days, and makes his unofficial co-commander on the trip. Together they assemble their supplies for the journey, including a 55-foot keelboat, two oversized, 40-foot long canoes, food, trading trinkets and 120 gallons of whiskey.

Jefferson names them the Corps of Discovery, and lays out their goals as follows:

The object of your mission is to explore the Missouri River & such principal stream of it, as, by its course & communication with the waters of the Pacific Ocean, may offer the most direct and practicable water communication across this continent, for the purposes of commerce.

The hope expressed here is that the Missouri River, flowing westward from St. Louis, will actually extend all the way across the continent to the Pacific Ocean – one continuous “Northwest Passage” supporting east-west commerce as smoothly as the north-south traffic along the Mississippi.

On May 14, 1804, Lewis and Clark set out from St. Louis, west along the Missouri. They will average about 10-15 miles a day, using sails and oars and, at times, even ropes, to head against the current. Lewis tends to explore the shoreline, while Clark guides the boat and handles the critical map-making duties.

Time: May 14, 1804 – August 17, 1805

The Expedition Reaches the Headwaters of the Missouri River

In late August, 1804, in South Dakota, they encounter their first tribe of Plains Indians, Sioux warriors. They also begin to spot animals not seen before in the east – antelope, mule deer, buffalo, and coyotes.

By November 1804 they have reached North Dakota, where they build their winter camp among the Mandan tribe, and hire a guide – Touissant Charbonneau, a French-Canadian fur trader who is accompanied by his Shoshone wife, known as Sacagawea. The pair will prove invaluable as the journey unfolds, acting as interpreters and emissaries with future Indian contacts.

Before breaking camp in April 1805, Lewis ships a packet of “finds” – including elk horns, Indian corn, a magpie and a prairie dog – back east. Jefferson receives them in the late summer and plants the corn at Monticello. By then he assumes that the Corps has probably reached their destination on the west coast.

In fact, they are only half way along as they resume their voyage, further north on the Missouri, and then due west into Montana. On June 13, they encounter an amazing sight, a series of volatile rapids leading to five “great falls” over a 21 mile stretch. Lewis records the moment in his diary.

*Hearing a tremendous roaring above me I continued my rout across the point of a hill a few hundred yards further and was again presented by one of the most beautiful objects in nature, a cascade of about fifty feet** perpendicular stretching at rightangles across the river from side to side to the distance of at least a quarter mile.*

I now thought that if a skillfull painter had been asked to make a beautifull cascade that he would most probably have presented the precise image of this one.

As breathtaking and beautiful as these falls are, they are the first signal that the Missouri will not offer a simple unbroken route to the west coast.

The party celebrates the Fourth of July by consuming what's left of their whiskey ration, and then totes its gear overland around the falls until July 15, when it is back in the water, drifting south toward the Rocky Mountains.

Only a month later, on August 17, their hopes for a Northwest Passage to the Pacific are over, as they discover the "end point" of the Missouri River, the headwaters at Three Forks, Montana.



The Mighty Missouri River Stretching 2341 Miles from St. Louis to Three Forks

Time: August 1804- October 1805
A Rugged Journey Across the Rockies Leads on to Success

At this point they are 15 months into a journey that was supposed to take a year. Undaunted, they push on to perhaps their most formidable challenge, crossing the Rocky Mountains – the Great Continental Divide, where America's waterways (and river currents) begin to flow advantageously west toward the Pacific. Lewis and Clark will be the first white Americans to cross this divide.



The Great Continental Divide of North America

Fortunately the expedition now comes upon the Shoshones, who happen to be Sacagawea’s native tribe. They know the best routes through the mountains, and guide the way – first across the Lemhi Pass, some 7400 feet above sea level, and then along the Lolo Trail, and the rugged Bitterroot Range. Lewis regards this 200 mile slog as the most challenging of the entire trip, with all members suffering from frostbite and a lack of food.

I have been wet and as cold in every part as I ever was in my life, indeed I was at one time fearful my feet would freeze in the thin Mockirsons which I wore.

After five weeks in the mountains, new canoes have been built and, on October 7, 1805, they are moving downstream on the Clearwater River. This flows into the Snake and then the Columbia River; at last a known landmark they had previously hoped was linked directly to the Missouri.

On October 18, 1805, they are elated to spot Mount Hood in the distance, another identified marker on their original map. Roughly a month later they have reached the Pacific Ocean, at Astoria, where they set up winter quarters known as Ft. Clatsop. Using his “dead reckoning” skills, Clark estimates they have come 4,162 miles, a figure that proves to be only 40 miles off the true mark. The elapsed time is 18 months, one way.



The Columbia River Running Inland from the Pacific

Time: March 23, 1806 – September 23, 1806

The Expedition Returns Home

On March 23, 1806, the expedition begins to retrace its path back home. They are now confident enough in their knowledge to break into four separate parties to further map the Louisiana lands. They record various “incidents” along the way. Clark carves his name into a sandstone outcropping near Billings, Montana, which endures. Lewis survives the only hostile encounter with Indians, leaving two Blackfeet dead after they have tried to steal his horses and rifles. Sacagawea and Charbonneau return to their Mandan village in August. They revisit the grave of Charles Floyd, the one casualty of the trip, who died on the way out of a burst appendix.

On September 23, 1806, they are greeted as national heroes back in St. Louis. Both commanders receive land grants of 1600 acres for their efforts. Jefferson names Lewis the Governor of Louisiana, and Clark a Brigadier General in the militia and Indian agent to the West.

From there the fates of the two explorers will diverge sharply. Meriwether Lewis proves ill-equipped for a life in politics. His land speculation activities go bust, his debts mount along with his alcohol intake, and he either commits suicide or is murdered by gunshot wounds in 1809, at age 35 years. Clark lives almost 30 years beyond Lewis, and becomes a successful businessman and serves seven years as Governor of Missouri. He dies in 1838 at the home of his oldest son, Meriwether Lewis Clark.

But together the exploits, and the learning, of these two explorers will fulfill Jefferson’s highest hope for the Corps of Discovery expedition.

From 1809 onward, Americans will be intrigued by the land across the Mississippi, and Jefferson’s vision of one unified nation, from sea to shining sea.

Chapter 42. The Supreme Court Asserts its Authority in *Marbury v Madison*



Supreme Court Judge

Sections

- Adams “Packs the Courts” – and Jefferson Unpacks them
- The Supreme Court Asserts its Constitutional Authority
- John Marshall and his Ongoing Conflicts with Thomas Jefferson

Macro-Themes

- The Supreme Court
- John Marshall
 - *Marbury v Madison*
 - Arbiter of “Constitutionality”
 - Jefferson’s Concerns

Time: February 20 to March 3, 1801

Adams “Packs the Courts” – and Jefferson Unpacks them

From the 1787 Constitutional Convention forward, tension exists between the scope and administration of laws at the state vs. the federal levels.

Prior to the Constitution, legal statutes and courtroom disputes are in the hands of the state judiciaries – and this form of “local control” is favored by Jefferson and his Democratic-Republican supporters.

However, once the new Constitution is ratified, it creates a body of federal laws that apply to all states, and the need for a judicial structure to insure local compliance. The Judiciary Act of 1789 lays out the basic frameworks.

Legal disputes will continue to be adjudicated in the 13 state courts, by “State/District Judges.”

- Any cases or decisions that may call Constitutional laws into question are to be reviewed by the Federal Supreme Court, consisting of 6 Justices.
- To conduct these reviews, the Supreme Court Justices will travel to each of the states twice a year, in order to hear appeals and either support or overturn the local decisions.
- This travel is referred to as “riding the circuit” – and, in the beginning, there are six “circuits” in Total, to cover all 13 states/districts.

This system remains in place for 12 years, until the lame duck Federalist-dominated Congress changes it, in a move referred to by opponents as the “Midnight Judges Act.” This Act is passed on February 13, 1801, within two weeks of the end of John Adams’ term as President. It made three significant changes:

- After increasing the number of “districts” from 13 to 16 (recognizing the new states of Vermont, Kentucky and Tennessee), it assigns a new “judicial layer” to each, in the form of 16 “Federal Circuit Court Judges.”
- The burdensome task of “riding the 6 circuits” is handed to these 16 new Federal Circuit Court Judges – and removed from the six Supreme Court Justices, who would now operate solely from Washington, DC.
- It reduces the number of Supreme Court Justices, from an even number of 6 to an odd number of 5, in case of split decisions.

The Shape of the Court Systems AFTER the 1801 Judiciary Act

Federal Level	Details
Focus	Cases involving federal crimes, cases brought against the federal government, and cases involving citizens living across state lines.
Supreme Court Judges	1 Chief Justice and 4 Associates, freed from riding the circuit
Circuit Court Judges	16 Judge in total, one for each of the 16 states, riding the circuit, reviewing controversial cases/appeals
District Court Judges	Original jurisdiction/trial court judges on federal cases
State Level	
Focus	Cases involving State laws, both criminal and civil
General Court Judges	3 judges per state, court of last resort, meet 2x per year
Appeals Court Judges	In some states, 3 judges, meet in each county in October
District Court Judges	Original jurisdiction/trial court, Quarter Sessions (criminal case), Common Pleas (civil cases).
Justice of the Peace	Tends to handle misdemeanors or small claims (<\$5) disputes.

Adams then moves quickly to fill the new judicial positions just created, and any other openings he can identify – on behalf of “packing the courts” with a predominance of pro-Federalists.

He names all 16 of the new “Federal Circuit Court Judges” between February 20 and March 3, 1801, his last day in office. He adds 4 “State District Court Judges” and 42 local “Justices of the Peace.”

Needless to say, Jefferson and the Democratic-Republicans are upset with the court-packing tactic, and move to undo the changes when the new Congress, which they control, is sworn in.

Their task is complicated by the fact that sitting judges may be removed only by impeachment involving violations of their public trust. To get around this constraint, Jefferson opts to re-structure the judiciary once again. He does so in the Judiciary Act (or Repeal Act) of 1802:

- The number of Supreme Court Justices returns to its original quota of six.
- The jobs of the 16 new “Federal Circuit Court Judges” added by Adams are eliminated, hence avoiding the impeachment rules.
- Each Supreme Court Justice is returned to “riding duties” over one of the six national “circuits.”

The notion of a handful of Supreme Court Justices, appointed for life and sitting in the Capitol imposing Federal guidelines over State laws and court’s decision is anathema to the Democratic-Republicans. As Jefferson says:

To consider the judges as the ultimate arbiters of all constitutional questions [is] a very dangerous doctrine indeed, and one which would place us under the despotism of an oligarchy. Our judges are as honest as other men and not more so. They have with others the same passions for party, for power, and the privilege of their corps.

By revoking Adams' changes, they feel they have once again kept too much power out of too few Federalist hands.

Time: February 11 – 24, 1803

The Supreme Court Asserts its Constitutional Authority

But one aftermath of the “Midnight Judges Act” is not yet fully “settled” by the 1802 Repeal, and it now comes back to bite Jefferson’s wish to limit Supreme Court power.

The impetus is a suit filed by one William Marbury, a Maryland resident, who is an accomplished businessman, a powerful political figure in the Federalist Party, and an active campaigner against Jefferson in the 1800 election.

He comes before the Supreme Court seeking to assume a prestigious position he has been promised, as Justice of the Peace in the District of Columbia. He backs his claim with a document signed by President John Adams and “sealed” (notarized) by the Secretary of State, John Marshall, on Adams last day in office. The problem is that Jefferson refuses to honor the commission, arguing that it was not actually delivered to Marbury before Adams’ term expired.

Marbury petitions the Supreme Court to support his claim. The case is presented on February 11, 1803 and a decision is handed down quickly, on February 24. John Marshall, who was personally involved as the “notary” before becoming Chief Justice, concludes three things:

- Marbury does indeed have the right to the commission, once Adams signed it and it is notarized.
- Marbury also has the right to legal protection by a court, even in a case involving the President of the United States – a not so subtle jab at Jefferson for acting like he is above the law.
- But no, the Supreme Court cannot grant Marbury’s wish because the Constitution limits its authority to conduct “judicial reviews” only to cases involving ambassadors, other public ministers and consuls...and where the state shall be a party.”

After being advised to re-file his suit within state court, and then return to the Supreme Court if he is denied, Marbury drops the protest.

However, the decision itself establishes the crucial precedent Marshall is after – the Supreme Court’s authority to overturn state and federal laws on the basis of a failure to comply with the 1787 Constitution.

This power has always been implicit in the formation of the High Court and in the “checks and balances” spirit favored by the Founders. But with Marbury, enforcement of the principle is made apparent to all.

In effect then, Jefferson wins the battle against Adams’ appointments, but loses the war against the concentration of power he now sees vested power in the Supreme Court.

He sees no evidence in the Constitution that grants six judges with lifetime appointments the power to override laws written by legislators.

The question whether the judges are invested with exclusive authority to decide on the constitutionality of a law has been heretofore a subject of consideration with me in the exercise of official duties. Certainly there is not a word in the Constitution which has given that power to them more than to the Executive or Legislative branches.

And, while Marshall draws boundaries around the types of cases the Supreme Court will hear, the Democratic-Republicans fear that it will ultimately extend its “reach.”

In this regard they are reminded that none other than James Wilson, the leading legal scholar at the Constitutional Convention and former Associate Justice under Washington, called for a Supreme Court capable of striking down any and all federal or state legislation it deemed “unjust.”

Jefferson records his concern that the Constitution may become...

A mere thing of wax in the hands of the judiciary, which they may twist and shape into any form they please.

Southerners in particular wonder if the Marbury decision might eventually open the door for the Court to rule on matters involving slavery.

The third branch of the federal government is now a political force to be reckoned with, especially in the hands of Chief Justice, John C. Marshall.

Time: 1801-1807

John Marshall and his Ongoing Conflicts with Thomas Jefferson

Marshall’s reprimand of Jefferson in the Marbury decision is characteristic of the personal antipathy that develops between their two intellectual giants over time.

Ironically they are distant cousins, Jefferson’s mother being Jane Randolph, a relative of Marshall’s mother, Mary Randolph. Their fathers are both surveyors and they are both Virginians and lawyers, similarly tutored by the legendary George Wythe. There the similarities end.

Jefferson is aristocratic in his dress and bearing; distant from the common man he swears to protect; committed to agricultural commerce and his home state; forever suspicious that a powerful central government will evolve into an oligarchy, destructive of personal liberty and prosperity.

Marshall is forever slovenly attired and comfortable around people; supportive of Hamilton’s brand of capitalism and industrialization; focused on national rather than state affairs; and believing firmly that a strong national government is necessary to unify, defend and build the republic.

John Marshall’s roots are considerably more humble than Jefferson’s. He has to scrape for an early education, and is drawn into the Revolutionary War at age 20 years, before embarking on a career. Both

Marshall and his father have distinguished military records. The son enters the War as a Lieutenant in 1775 and exits in 1779 as a Captain, after fighting at Brandywine, Monmouth and in Virginia, during Benedict Arnold's invasion.

Some believe that Marshall's disdain for Jefferson traces in part to an episode during this Virginia campaign that finds Jefferson, as Governor, evidently focused on securing his Monticello estate rather than joining in the actual combat against the British. The question "where is Jefferson" is asked throughout the ranks at the time.

His war experiences also influence Marshall's political views. Camped at Valley Forge alongside his hero, George Washington, he watches the failure of the dis-organized, undisciplined and self-centered "confederated states" to supply the basic support systems needed to win the war. This marks him forever as a Federalist.

After leaving the army, Marshall enrolls in a three month course at William & Mary taught by George Wythe which features "combin[ed] theory and practice, readings and lectures, supplemented with moot courts and mock legislative sessions." From there he is apprenticed under Wythe until his petition to join the Virginia bar is signed in 1780, ironically by Jefferson himself, who is 12 years his senior.

He opens a private practice, specializing in suits related to disputes over debts and real estate titles. His style is that of the savvy litigator, focused less on legal theory and more on practical arguments. When his efforts in court flourish, he is drawn into politics, serving in the Virginia House of Delegates off and on between 1782 and 1796. He is not yet well enough known in 1787 to attend the Constitutional Convention, but he supports its ratification in 1788, citing Federalist principles against stiff Democratic-Republican opposition.

From there he is thrust onto the national stage by John Adams, who names him Minister to France in 1797, and then Chief Justice of the Supreme Court on January 31, 1801.

In the final year of his life, Adams – who previously picked George Washington to head the Continental Army -- cites Marshall as his proudest act.

My gift of John Marshall to the people of the United States was the proudest act of my life. There is no act of my life on which I reflect with more pleasure.

Chapter 43. A Tradition of Violence Marks Political Discourse in America (1621 Forward)



Aaron Burr (1756-1836)

Sections

- The European Practice of “The Duel” Comes to America
- Aaron Burr Kills Alexander Hamilton

Macro-Themes

- Dueling
- History in America
 - “Code Duello”
 - Hamilton v Burr

Time: 1621 And Forward

The European Practice of “The Duel” Comes to America

While America seeks to become a nation of laws, it continues throughout the nineteenth century to embrace violence as a means of resolving disputes.

Thus a perceived wrong leads to “calling a man out” and engaging in some direct form of battle, from simple fisticuffs to use of deadly weapons.

In less sophisticated circles this is referred to as “frontier justice” – while among the more refined it is elevated to the art of dueling.

Dueling is inherited from traditions of the European aristocracy and practiced throughout the colonial period.

The first recorded duel in America takes place in 1621 in the Massachusetts Colony between an Edward Doty and an Edward Lester. It is fought with longswords and ends with minor wounds to both parties. But dueling will also lurk in the biographies of many of the nation’s most famous political figures, and will threaten to invade the halls of Congress in several notorious instances.

Taken to the extreme, dueling glorifies the notion of “better to die with honor than live in shame.”

The rituals surrounding the combat are carefully codified in 1777 in a manual called Code Duello. This details some 26 steps required to execute a fair duel, including:

- The proper issuance of “a challenge” from the offended party;
- Selection of “seconds” to accompany the combatants and see to their needs;
- The choice of weapons, left open to the recipient of the challenge;
- Declaration of a time and place for the event;
- Exact rules of engagement (e.g. shots fired, blows struck, other “allowances”);
- How final “satisfaction” will be expressed and delivered;
- Proper care for those who are wounded or killed;
- Notification of kin in case of death; and
- Procedures for calling the duel off short of actual conflict.

The vast majority of “challenges” are in fact resolved “off the field” – using one’s “seconds” to talk through the underlying grievances and arrive at “gentlemanly resolutions.”

Intemperate men, such as future President Andrew Jackson, will never “walk away” from a challenge, and will both give and receive grievous wounds in the course of several duels. The more controlled future President, Abraham Lincoln, will find a peaceful way out when he is challenged.

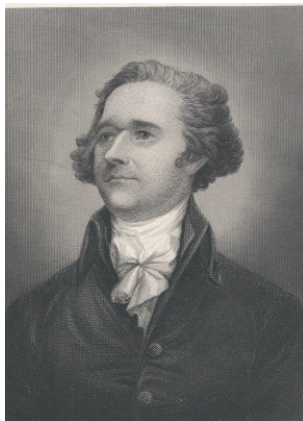
Only 20% of duels end with shots fired, and the majority of these yield treatable wounds to the legs. “Deloping,” or firing one’s shot into the ground, is considered a gentlemanly way to conclude a confrontation.

But at times, duels can have lethal outcomes.

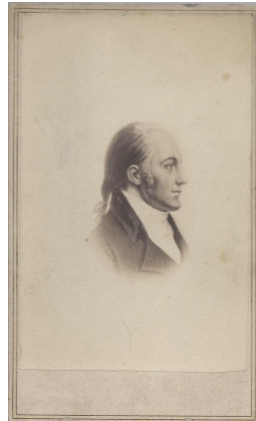
Such is the case 1804, the third year of Jefferson’s presidency.

July 11, 1804

Aaron Burr Kills Alexander Hamilton



Aaron Burr (1756- 1836)



Alexander Hamilton (1757-1804)

On July 11, 1804, Americans learn that Alexander Hamilton, the head of the Federalist Party and former Treasury Secretary, has been shot dead in a duel with their current Vice-President, Aaron Burr.

The bad blood between the two is long-standing.

Both men serve nobly under Washington in the Revolutionary War, but the General always seems to favor Hamilton, a source of some early animosity. Burr fails to get the field promotion he feels he deserves for saving the army on Manhattan; he fails to get Washington's support for a ministerial post to France; and it becomes clear that the General regards him as overly ambitious and prone to intrigues. Burr senses Hamilton's hand at work in these reversals.

The two are also on opposite sides in the political arena – Hamilton as staunch Federalist and Burr as a loyal Democratic-Republican. As such, they are forever sniping at each other, especially around New York state elections.

The stakes here go way up in 1791 when Burr runs for U.S. Senator against Hamilton's father-in-law, General Phillip Schuyler. Burr's tactics and victory seem to represent a final breach with Hamilton.

In 1795, Burr and fellow Republican, James Monroe, apparently conspire to pull Hamilton down from his lofty perch as Washington's Secretary of the Treasury, by leaking the story of his affair with Maria Reynolds. This forces Hamilton to make an embarrassing public confession, and to resign from office.

Henceforth Hamilton will search for any and all opportunities to destroy Burr.

His first chance materializes in the election of 1800, when Burr and Jefferson end up tied on electoral votes for the presidency – and the final decision ends up in the Federalist controlled House of Representatives. Hamilton, of course, is unhappy with both options – but, on a 36th ballot, he uses his influence to elect Jefferson, as “less dangerous than Burr...who loves nothing but himself.”

Jefferson's convictions about Burr also sour during his first term, and he plans to seek a new Vice-President as the 1804 election approaches. Knowing this, Burr decides to run for Governor of New York against another Republican, former Attorney General, Morgan Lewis. With no entry of their own in the running, some Federalists come out for Burr, until Hamilton, head of the national party, steps in and quashes this movement.

Tensions between the two mount on April 24, when The Albany Register publishes a letter where a third party quotes Hamilton as calling Burr “a dangerous man...who ought not be trusted with the reins of government” and referencing “a still more despicable opinion which Mr. Hamilton has expressed of Mr. Burr.”

Burr then loses the race for governor by a decisive 58%-42% margin -- effectively ending his hopes for high political office. Again he places much of the blame on Hamilton.

After the election, a series of increasingly tense exchanges occur between the two men in written notes, which lead on to a “challenge” from Burr, accepted by Hamilton.

Both men have been “called out” before on numerous occasions, all so far “resolved” without any shots being fired. But this time, the long-term hostility runs deep, and the duel unfolds.

It is set for July 11, 1804, at the Heights of Weehauken in New Jersey – a popular site for dueling, despite the fact that it is officially outlawed both there and in New York. The ground holds special meaning for Hamilton. On November 23, 1801, his 19 year old son, Philip, is shot dead here in a duel he has initiated in defense of his father's name.

Be it premonition or not, the elder Hamilton writes out a will on July 10, the day before the duel. He states that he intends to “withhold his first fire,” and then addresses his wife:

Adieu best of wives and best of Women. Embrace all my darling Children for me. Ever yours, AH.

Around 7AM, Burr and Hamilton arrive by separate boats, rowed from mid-town Manhattan some three miles across the Hudson. Both men greet each other formally, Colonel Burr and General Hamilton, according to the code.

An area extending some ten paces is cleared, with Hamilton standing on one end, facing the Hudson, and Burr at the other, looking inland. Each man holds a .56 caliber pistol, provided by Hamilton, the same pair used earlier by his deceased son. The pistols are loaded by seconds in plain sight. The two combatants assume the classical positions –right foot forward, with bodies tucked sideways to present the smallest possible silhouette for targeting. Hamilton dons his glasses at the last second. The rules are then read aloud, as follows:

The parties being placed at their stations, the second who gives the word shall ask them whether they are ready; being answered in the affirmative, he shall say- present! After this the parties shall present and fire when they please. If one fires before the other, the opposite second shall say one, two, three, fire, and he shall then fire or lose his fire.

Hamilton's second is chosen by lot to say the word *present*, which he does. Exactly what happens next is the subject of some debate. All accounts agree that both men fired, but who shot first is open to question. Some argue that Hamilton fired into the air, throwing away his attempt – and a subsequent search for the ball finds it in a tree limb, some seven feet above and four feet wide of Burr's position.


But Burr's ball catches Hamilton above the right hip, fracturing a rib, slicing through his liver, and ending up lodged in a lower vertebrae. Burr advances toward his fallen foe, but is quickly diverted by his seconds and leaves the scene.

Hamilton is down, in the arms of his second, Nathaniel Pendleton, when his medical man, Dr. Hosock, examines the wound and recognizes that it is mortal. Together the two men carry Hamilton, who remains conscious, to his boat, and row him back to Manhattan. He is put to bed and given heavy dose of laudanum for pain. He lives through the night of the 11th and dies around 2PM the next day.

The nation is shocked by Hamilton's death, and cries mount to put an end to dueling. Burr is indicted for murder and flees momentarily to South Carolina. But the case for retribution against duelists is not intense, and he returns to Washington to serve out the remainder of his term as Vice-President.

He will live on for another 34 years after the events at Weehauken, in and out of the public spotlight, and forced to flee to Europe for four years after being acquitted in a sensational 1807 trial for treason.

Chapter 44. Jefferson Wins a Second Term (1805-1809)

 <p>Thomas Jefferson (1743-1826)</p>	<p>Sections</p> <ul style="list-style-type: none"> • The Presidential Election of 1804 • Democratic-Republicans Win By A Landslide In 1804 • Jefferson's Second Inaugural Address • Overview of Jefferson's Second Term 	<p>Macro-Themes</p> <p>Elections Presidency - Thomas Jefferson</p> <p>Exploration - Zebulon Pike</p> <p>Roads - Cumberland Pike</p> <p>Indian Affairs - Tribal Cessions</p> <p>Filibustering - Burr-Wilkinson Plot</p> <p>Wars - US vs. Tripoli - Napoleon's France vs. Britain - Attacks on US Shipping</p> <p>Economy - Embargo Act of 1807</p>
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Time: 1804

The Presidential Election of 1804



As the 1804 election approaches, Jefferson and the Democratic-Republicans discard Aaron Burr as their Vice-Presidential candidate in favor of former General George Clinton, now sitting Governor of New York.

With Washington and Hamilton dead and Adams out of the picture, the Federalists begin what will be an on-going struggle to find a candidate capable of winning widespread popular support. In 1804 they choose Charles C. Pinckney, an aristocratic planter from Charleston, Revolutionary War General, and influential pro-slavery delegate to the 1787 Constitutional Convention, Minister to France under Washington, and running mate of Adams in 1800.

In advance of the election of 1804, the states have ratified the 12th Amendment to the Constitution in order to distinguish between party candidates running for President vs. Vice-President. This is accomplished by a simple change – having the electoral college shift from one combined vote for the offices, to two separate votes, one for President, the other for Vice-President. Any “ties” will still be broken in Congress, the House voting on President, the Senate on Vice-President. The possibility of having a President from one party and a Vice-President from the other remains.

Change to Voting Procedures Beginning with 1804 Presidential Election

Prior voting process	One ballot, with top vote getter becoming President and the runner-up as VP
After 12 th Amendment	Two ballots, one for President and the other for Vice-President

The election takes place between November 2 and December 5, 1804.

A total of 143,110 “popular votes” are cast, double the level recorded in 1800. Eligibility continues to be limited to white men owning various threshold levels of property – and only 11 of the 17 states factor popular votes into their process for choosing “presidential electors. (In the other six they are chosen exclusively by state legislators.)

Still, the 1804 election is the first where mainstream Americans begin to feel that their direct votes have a great deal to do with who will be President. This trend will grow over time, much to the chagrin of the 1787 convention delegates who felt that selection of the Executive was much too important to be left up to “popular passions.”

Growth in Popular Voting for Presidential Electors

	1788	1792	1796	1800	1804
Popular Votes	43,782	28,579	66,841	67,282	143,110
# States w popular votes for electors	7 of 12	6 of 15	9 of 16	6 of 16	11 of 17

When the ballots are all in, Jefferson is re-elected by an overwhelming majority. He beats Charles C. Pinckney by a 73% to 27% margin in the popular vote, and by 162-14 in the electoral college. He carries 15 of the 17 states (losing only in Connecticut and Delaware), including prior Federalist strongholds across the North.

Results of the 1804 Presidential Election

Candidates	State	Party	Pop Vote	Tot EV	South	Border	North	West
Thomas Jefferson	Va.	Dem-Republican	104,110	162	59	17	83	3
Charles C. Pinckney	S.C.	Federalist	38,919	14	0	5	9	0
Total			143,110	176	59	22	92	3
Needed to win				89				

Note: South (Virginia, NC, SC, Georgia), Border (Delaware, Maryland, Ky), North (NH, Mass, NY, NJ, Penn, RI, Conn,Vt), West (Ohio)

Note: Total # electors = 176,; must get more than half of 138 voters = 70.

The same story holds true in the race for Vice-President, where Governor Clinton easily outdistances Rufus King, the New York Federalist and former Ambassador to Britain under Washington.

1804 Electoral College Vote for VP

Candidate	Party	Votes
George Clinton	Dem-Rep	162
Rufus King	Federalist	14
Total		176

Jefferson’s victory reflects approval for his Louisiana Purchase and an uptick in the economy in 1803-4, after a lessening of tensions with France.

Time: 1804

Democratic-Republicans Win by a Landslide in 1804

The Democratic-Republicans also dominate the Federalists in the 1804 Congressional races.

In the House, the total number of seats up for grabs has expanded from 106 to 142 based on the new population counts from the 1800 Census. The largest gains in apportionment are in the Northern states, a fact that is already troubling to politicians in the South.

Apportionment of House Seat after the 1800 Census

	Total	South	Border	North	West
1790	65	23	7	35	0
1800	106	38	11	57	0
1802	142	49	16	76	1
Change vs. 1790	+77	+26	+9	+41	+1

The margin of victory for the Democratic-Republicans in the lower chamber is remarkable. Only six years earlier, in 1798, the Federalists held the House by 12 seats (60-48). After the 1804 votes are in, they trail their opponents by 86 seats (28-114).

Election Trends – House of Representatives

Party	1789	1791	1793	1795	1797	1799	1801	1803	1805
Democratic-Republicans	28	30	55	61	49	46	68	102	114
Federalist	37	39	50	45	57	60	38	40	28
Congress #	1 st	2 nd	3 rd	4 th	5 th	6 th	7 th	8 th	9 th
President	GW	GW	GW	GW	JA	JA	TJ	TJ	TJ

In addition to continuing their dominance across the South, the Democratic-Republicans have now won solid majorities in the North in both 1802 and 1804.

House Trends by Region

Democratic-Republican	Total	South	Border	North	West
1789	28	16	4	8	
1791	30	16	5	9	
1793	55	31	7	17	
1795	61	33	7	21	
1797	49	30	4	15	
1799	46	21	5	20	
1801	68	30	7	31	
1803	102	42	13	46	1
1805	114	48	13	52	1
Change Vs. '02	+12	+6	NC	+6	NC
Federalists					
	37	7	3	27	
	39	7	4	28	
	50	6	4	40	
	45	5	4	36	
	57	8	7	42	
	60	17	6	37	
	38	8	4	26	
	40	7	3	30	
	28	1	3	24	
Change Vs. '02	(12)	(6)	NC	(6)	NC

In the Senate, the Democratic-Republicans now enjoy a 27-7 margin over the Federalists, after a pick-up of two more seat. Recent additions in the upper chamber include the Federalist John Quincy Adams of Massachusetts in 1802 and Henry Clay of Kentucky in 1804, who begins his career as a Democratic-Republican.

Election Trends -- Senate

Party	1789	1791	1793	1795	1797	1799	1801	1803	1805
Democratic-Republicans	7	12	14	16	12	10	17	25	27
Federalists	19	17	16	14	20	22	15	9	7
Congress #	1 st	2 nd	3 rd	4 th	5 th	6 th	7 th	8 th	9 th
President	GW	GW	GW	GW	JA	JA	TJ	TJ	TJ

Regional results in the Senate mirror those in the House, with a steady erosion for the Federalists in the North.

Senate Trends by Region

Democratic-Republican	Total	South	Border	North	West
1788	7	4	1	2	
1790	12	5	2	5	
1792	14	7	2	5	
1794	16	7	4	5	
1796	12	8	1	3	
1798	10	8	1	1	
1800	17	10	3	4	
1802	25	10	4	9	2
1804	27	10	4	11	2
Change					
Federalists					
1788	19	4	3	12	
1790	17	3	4	10	
1792	16	1	4	11	
1794	14	1	2	11	
1796	20	2	5	13	
1798	22	2	5	15	
1800	15	0	3	12	
1802	9	0	2	7	
1804	7	0	2	5	
Change					

Overall then, the Democratic-Republicans emerge from the 1804 election in firm control of the Presidency and both chambers of Congress – while the Federalists are left reeling.

Time: March 4, 1805

Jefferson’s Second Inaugural Address

On March 4, 1805, Jefferson delivers his second inaugural address in the Senate chamber. Unlike the soaring rhetoric achieved four years ago, his tone is defensive, aimed at justifying his policies and programs against what he regards as ongoing slanders by the press – especially surrounding his mistress, Sally Hemmings.

He seeks peace with the major foreign powers...

In the transaction of your foreign affairs, we have endeavored to cultivate the friendship of all nations, and especially of those with which we have the most important relations.

Restraint on taxes and federal spending, to help fund targeted infrastructure improvements...

The suppression of unnecessary offices, of useless establishments and expenses, enabled us to discontinue our internal taxes. The remaining revenue on the consumption of foreign articles, is paid cheerfully by those who can afford to add foreign luxuries to domestic comforts...it may be the pleasure and pride of an American to ask, what farmer, what mechanic, what laborer, ever sees a tax-gatherer of the United States?

These contributions enable us to give support... in time of peace, to rivers, canals, roads, arts, manufactures, education and other great objects within each state. In time of war... by other resources reserved for that crisis... War will then be but a suspension of useful works, and a return to a state of peace, a return to the progress of improvement.

Support for his controversial Louisiana Purchase...

I know that the acquisition of Louisiana has been disapproved by some, from a candid apprehension that the enlargement of our territory would endanger its union.... and in any view, is it not better that the opposite bank of the Mississippi should be settled by our own brethren and children, than by strangers of another family?

Favorable treatment of the native American tribes...

Humanity enjoins us to teach (our aboriginal inhabitants) agriculture and the domestic arts; to encourage to that industry which alone can enable them to maintain their place in existence.... But the endeavors to enlighten them... have powerful obstacles to encounter.

An end of the personal attacks he has suffered in the press...

During this course of administration, and in order to disturb it, the artillery of the press has been levelled against us, charged with whatsoever its licentiousness could devise or dare. These abuses of an institution so important to freedom and science, are deeply to be regretted.

Our fellow citizens have looked on, cool and collected... they gathered around their public functionaries, and when the constitution called them to the decision by suffrage, they pronounced their verdict, honorable to those who had served them, and consolatory to the friend of man, who believes he may be intrusted with his own affairs...our wish, as well as theirs, is, that the public efforts may be directed honestly to the public good.

And guidance from that "Being in whose hands we are."

I shall now enter on the duties to which my fellow citizens have again called me, and shall proceed in the spirit of those principles which they have approved. I fear not that any motives of interest may lead me astray; I shall need, too, the favor of that Being in whose hands we are secure to you the peace, friendship, and approbation of all nations.

Time: March 4, 1805 – March 4, 1809

Overview of Jefferson’s Second Term

Jefferson’s wish to concentrate on domestic policy in his second term will be frustrated by America’s inevitable entanglement in the warfare between Napoleon’s France and Great Britain.

As the term begins, the President’s cabinet is largely unchanged from before, except for Clinton as Vice-President and the Virginian, John Breckinridge, as Attorney General.

Thomas Jefferson’s Cabinet in 1805

Position	Name	Home State
Vice-President	George Clinton	New York
Secretary of State	James Madison	Virginia
Secretary of Treasury	Albert Gallatin	Pennsylvania
Secretary of War	Henry Dearborn	Massachusetts
Secretary of the Navy	Robert Smith	Maryland
Attorney General	John Breckinridge	Virginia

James Monroe continues as Ambassador to France, with ex-New York Senator John Armstrong remaining in London at the Court of St. James.

Jefferson’s financial priority lies in ridding the nation of debt, by reducing the size of the standing army and trimming other federal expenses.

I place economy among the first and most important virtues and public debt as the greatest of dangers to be feared. To preserve our independence, we must not let our rulers load us with public debt.

His commitment to an agrarian economy and way of life is undiminished.

Those who labour in the earth are the chosen people of God, if ever he had a chosen people, whose breasts he has made his peculiar deposit for substantial and genuine virtue. It is the focus in which he keeps alive that sacred fire, which otherwise might escape from the face of the earth.

Achieving this idyllic vision rests on geographic expansion – opening more available land for farming.

With the Louisiana Territory already in hand, he now tries, unsuccessfully, to buy Florida and Cuba from Spain.

He also has William Henry Harrison, Territorial Governor of Indiana, negotiate two sizable land cessions with native tribes to the west. Unlike his successors, Jefferson is favorably impressed by the capacities of the Indians, and hopes to teach them agricultural skills and assimilate, rather than banish, them.

1804 Cessions of Tribal Lands to the West

Treaty of:	Main Tribes	Land Ceded to U.S.
Vincennes	Miami and Shawnee	1.6 million acres in central Indiana
St. Louis	Fox and Sauk	5.0 million acres in Wisconsin

His far westward explorations continue, with news flowing in from Lewis and Clark about the Missouri River and a pathway to the west coast, and with another expedition setting out under Zebulon Pike.

Pike – later an army General killed in the War of 1812 – heads into the Louisiana Territory, first up north to Minnesota, then across the southwest to find the headwaters of the Red River and the Arkansas River. This takes him into Arizona, New Mexico, and Colorado, and the famous Rocky Mountain peak that bears his name.



As he drives westward, Jefferson is intent on weaving the new lands into the fabric of the Union.

To link the old east with the new west commercially, he initiates and funds two major road-building projects -- despite his philosophical aversion to federal spending and debt.

Jefferson's Major Road Initiatives

Name	Approved	Miles	Linking
Cumberland Road	1806	620	Cumberland, Md to Vandalia, IL
Natchez Road	1806	500 miles	Nashville, Tn to Natchez, Miss.

While Jefferson is pleased with this progress on the domestic front, he soon finds that threats to national security are occupying more and more of his time and energy.

One threat is particularly grating. Just as he is trying to glue new states onto the Union, he learns that his former Vice-President, Aaron Burr, is plotting with James Wilkinson, his Territorial Governor in Louisiana, to mount a “filibustering” campaign – to create an independent confederation of states extending through New Orleans and into Mexico. He will go after Burr with a vengeance for this transgression.

But the Burr affair is nothing compared to the repeated acts of war being committed against the United States by Britain and France throughout Jefferson’s second term.

From 1805 until 1815 the United States will find itself swept up in the Napoleonic Wars, which pit France against Britain and its coalition partners, in search of worldwide dominion.

The US role in the grand scheme is largely that of a pawn -- with the two super-powers intent on blocking all shipping traffic between America and ports controlled by the enemy. To do so means breaking commercial laws -- interfering with US ships on the high seas, turning them back or attacking them outright, seizing their cargoes and impressing their sailors into foreign duty.

After negotiating efforts in Paris and London fail, Jefferson makes a fatal error in attempting to avoid war in his 1807 Embargo Act, which bans US ships from sailing to all foreign ports. This move not only fails to improve diplomatic relations, but also crushes the east coast shipping industry. In 1808 the value of U.S. exports fall by almost 80% and talk of “nullification” forces the President to repeal the Act just prior to leaving office.

Value of U.S. Exports: Before – After Embargo Act

	1805	1806	1807	1808
\$ 000	95,566	101,537	108,343	22,431
% Ch				

Across his entire time in office, the overall economy drifts up and down, with per capita GDP ending in 1808 about where it was in 1801.

Economic Growth During Jefferson’s Two Terms

	1801	1802	1803	1804	1805	1806	1807	1808
Total GDP (\$MM)	514	451	487	533	561	617	589	646
Per Capita GDP	94	80	84	89	91	97	89	95
% Change		(15%)	5%	6%	2%	6%	(8%)	7%

Milestones during Jefferson’s second term are as follows:

Jefferson's Second Term: Key Events

1805	
March 4	Jefferson and Clinton are inaugurated
April 29	Marines take the port of Derna, a turning point in the Tripolitan War
May 25	A labor strike by the Cordwainer's Union in Philadelphia is suppressed
June 4	War with Tripoli ends with peace treaty
July 23	Britain invokes Rule of 1756 further constraining US shipping to France
August 9	Zebulon Pike begins first expedition, north into the Louisiana Territory
October 18	Lewis and Clark sight Mt. Hood
October 21	Nelson defeats the French fleet at Trafalgar foiling invasion of England
November 7	Lewis and Clark sight the Pacific
December 2	Napoleon annihilates Austrian and Russian armies at the Battle of Austerlitz
1806	
January	Noah Webster publishes his Dictionary of the English language
February 12	A Senate resolution condemns British aggression against US shipping
March 29	Congress approves bill to construct the Cumberland Road
May 30	Future President, Andrew Jackson, kills Charles Dickinson in a duel
July 15	Pike begins second expedition, this time into the future New Mexico and Colorado
July 20	Aaron Burr and conspirators meet to plan filibustering invasion of southwest
September 23	Lewis and Clark arrive back home at St. Louis
October 14	Napoleon destroys the Prussian army at Auerstadt
November 21	Napoleon's Berlin Decree initiates a shipping blockade of the British Isles
November 27	Jefferson learns of Burr's annexation plot in southwest
1807	
January 7	British Order in Council blockades shipping to French ports
February 19	Aaron Burr is arrested and charged with treason
March 2	Congress passes bill banning importation of slaves, starting in 1808
March 4	Jefferson pockets disappointing Monroe-Pinckney Treaty with Britain
June 14	Napoleon defeats Russia at Friedland
June 22	British commit act of war as their <i>HMS Leopold</i> attacks <i>US Chesapeake</i> off Norfolk, Va.
July 2	Jefferson proclamation bans British warships from American territorial waters
September 1	Aaron Burr acquitted of treason by John Marshall on a technicality, then flees to Europe
October 26	Tenth Congress convenes, with large Democratic-Republican majority
December 22	Jefferson's ruinous Embargo Act prohibits all US ships from entering foreign ports
1808	
January 1	Ban on importation of slaves takes effect
April 6	JJ Astor incorporates The American Fur Company
April 17	Napoleon's Bayonne Decree says France will seize US ships abroad, per Embargo Act
June 6	Joseph Bonaparte named King of Spain
November 10	Osage Treaty cedes tribal lands in Missouri and Arkansas
December 7	Madison is elected President
1809	
January 9	The Enforcement Act tries to halt smuggling linked to the embargo
February 1	New Englanders debate nullifying the Embargo Act which destroys shipping industry
February 20	In <i>US v Peters</i> , the Marshall court asserts the primacy of federal over state laws
March 1	Pressure on Jefferson finally leads to the repeal of the Embargo Act

Chapter 45. The Wilkinson-Burr Filibustering Affair (1806-1807)



A Maurader

Sections

- Plans to Create a New Dictatorship in the Southwest are Foiled
- Burr's Trial for Treason Ends in Shame and Acquittal

Macro-Themes

- Filibustering
- The Wilkinson-Burr Plot
- Judiciary
- John Marshall
 - High Bar Set on Treason

Time: 1806

Plans to Create a New Dictatorship in the Southwest are Foiled



Aaron Burr
(1756-1836)

Aaron Burr is one of those famous figures in American history who climb to the pinnacle of national fame only to fall back into the ranks of the notorious.

He is born on February 6, 1756, in Newark, New Jersey, to parents steeped in religious ties. His mother, Esther, is the daughter of Jonathan Edwards, the famous Puritan minister, whose Calvinist oriented tract, "Sinners In The Hands Of An Angry God," helped fuel the First Great Awakening in 1741. His father, Aaron Sr., is a Presbyterian minister and second president of The College of New Jersey (later Princeton).

But both parents die before Aaron reaches the age of three, and he and his sister are left in the care of their uncle, Timothy Edwards, who raises them within the stern traditions of Calvinism. This fails to sit well with young Aaron, who is simultaneously precocious and rebellious. After trying to run away from home, he applies for admission to the College of New Jersey (Princeton) at age eleven. Two years later, he is allowed in, and graduates at sixteen, in 1772. Despite being pushed toward a career in the ministry, his inclinations are far removed from the Calvinistic austerity he has experienced as a youth. Instead he takes up the law – and is three years into his studies when the Revolutionary War breaks out.

Burr immediately enlists in the Continental army, where his affection for combat over a four year period earns him both glory and recognition. He fights with Montgomery in 1775 at Quebec, helps Washington and Hamilton escape from their 1776 trap in Manhattan, rises to Lt. Colonel status in 1777, survives Valley Forge and takes part in the pivotal 1778 battle at Monmouth. By 1779 the war has taken a sufficient toll on his health that he resigns his commission and returns to his legal pursuits.

He opens a law office in Albany in 1782 and that same year marries Theodosia Prevost, a widow with five children, who, at 36, is ten years his senior. Despite dalliances, Burr stays with his wife until her death in 1794, and forever dotes on their daughter, also named Theodosia.

In 1784, Burr enters the rough and tumble world of New York politics, as an Anti-Federalist. He begins as a State Assemblyman, then is chosen as Attorney General, under Governor George Clinton. He serves as U.S. Senator from 1791 to 1797, after defeating General Phillip Schuyler, Alexander Hamilton's father-in-law, in his race.

His ambition leaps ahead, and he expects to be elected Vice-President in 1796, but his electoral votes fall behind Adams, Jefferson and Pinckney. Still he tries again in 1800, and this time ends up in a tie with Jefferson for the presidency.

After the election of 1800, Burr loses Jefferson's trust, and is dropped from the ticket in 1804. This leads to his decision to run for Governor of New York, but he is soundly defeated.

He blames the loss on political smears, coming from his long-time adversary, Hamilton. The result is a series of letters between the two men, a "challenge" issued by Burr, and the fatal duel at Weehauken Heights that leaves Hamilton dead and Burr's reputation forever tarnished.

With his political days over, Burr joins his old Revolutionary War friend, Major General James Wilkinson, in a plot that will lead to his arrested for treason.

Burr has convinced Jefferson to name Wilkinson Governor of the Louisiana Territory. But he returns the favor first by trying to break off Kentucky and Tennessee from the Union, then by conspiring with Spain to hamper American access to the port of New Orleans, and finally by initiating a "filibustering" scheme with Burr in 1805 to set up an independent confederation of states across the South under his rule as dictator.

Burr's role in the filibustering plan involves raising a small army and heading to New Orleans to foment rebellion. He contacts British officials in an attempt to secure financial backing, but is rebuffed. He then meets with one Harman Blennerhasset, who owns an island on the Ohio River, where Burr will store weapons and train troops.

Next comes a visit to New Orleans, supposedly to visit land he owns in the Tejas Province, but actually intended to recruit locals who support an invasion into Mexico. By 1806, however, the plan begins to unravel. The Ohio state militia raids Blennerhasset's Island, and Burr fails in his efforts to gather troops.

The scurrilous Wilkinson, fearing for his own reputation, informs Jefferson that Burr is plotting an insurrection. Jefferson is livid and a warrant is issued for Burr's arrest. He is taken into custody in Mississippi, escapes briefly, and is then re-captured on February 19, 1807. He is shipped back to Washington to stand trial.

Time: 1807

Burr's Trial for Treason Ends in Shame and Acquittal

The trial itself captures the nation's attention. It is held over seven months beginning in the summer of 1807 at the Federal Circuit Court in Richmond, Virginia. The judge is none other than Chief Justice John Marshall, who is frequently at odds with Jefferson. Those defending Burr include Edmund Randolph, former Attorney General and Secretary of State under Washington. An equally stellar line-up of prosecutors – micromanaged from the start by the President – aim to take Burr's life for treason.

Subpoenas are issued to a host of possible witnesses. Included here is Andrew Jackson, ex-Senator from Tennessee, who had met with Burr, and is suspected of encouraging his move into Mexico. Also President Jefferson himself, whose plea to avoid the subpoena is rejected by Marshall, again asserting that not even the President is above the law. (In the end, neither will actually testify.)

On June 15, 1807, the Grand Jury hears Wilkinson testify against Burr, but the defense pokes numerous holes in his account, and he barely escapes the just indictment he deserves. Nine days later, they enter charges against Burr for treason -- "levying war on the United States" in actions on Blennerhasset's Island – and for "high misdemeanors" related to organizing a military action against Spain in violation of the 1794 Neutrality Act.

As the trial itself closes, however, Marshall instructs the jury that the 1787 Constitution sets the bar very high for proving treason.


To establish the crime of treason the prosecution must prove that an overt act of treason had been committed by the defendant in a war and that, under the Constitution, the overt act must be testified to by two witnesses and must have occurred in the district of the trial.

After deliberations, the jury concludes the prosecution has failed to show enough evidence to sustain either charge.

Burr walks out of the courtroom as a free man, despite the ongoing certainty expressed by Jefferson and others that he is guilty on all counts.

Henceforth his name will be synonymous across America for slaying Hamilton and plotting treason. In response, Burr flees to England, hoping that time and distance will eventually allow his return to the States. And this proves to be the case. In 1813 he is back home, living momentarily under an assumed name. His star, which shines so brightly up to 1804, is now dimmed; but he is left with his notoriety as he roams the streets of his beloved New York before dying in 1836, at age eighty, on Staten Island.

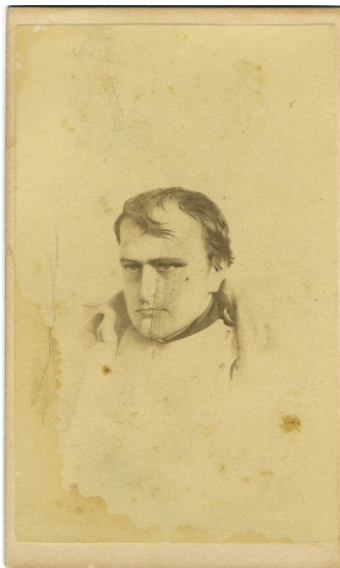
Chapter 46. Le Jour de Gloire Arrives for Napoleon and France (1804-1806)

	<p>Sections</p> <ul style="list-style-type: none">• Napoleon Crowns Himself Emperor and Resumes War with Britain• Sidebar: Roll Call of Key 18-19th Century Foreign Monarchs• Napoleon's Momentum is Hindered Momentarily by Lord Nelson at Trafalgar• On Land, the French Win One Major Battle after Another	<p>Macro-Themes</p> <p>French Revolution</p> <ul style="list-style-type: none">- Napoleon Becomes Emperor <p>Wars</p> <ul style="list-style-type: none">- Napoleon's Early Campaigns- Trafalgar- Death of Lord Nelson- Austerlitz- Jena-Auerstadt
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Napoleon Bonaparte (1769-1821)

December 4, 1804

Napoleon Crowns Himself Emperor and Resumes War with Britain



On December 2, 1804, Napoleon Bonaparte establishes hereditary power over France for his family, as he crowns himself Emperor at Notre Dame Cathedral.

The service is designed to mimic the standards set for royal successions across Europe.

To insure that Napoleon will reign “in the eyes of God,” Pope Pius VII attends the ceremony in person. The 62 year old pontiff has been in office for four years, and is intent on restoring the Church’s standing in France after seeing papal authority stripped away during the people’s revolution. His first step here is the Concordat of 1801, negotiated with Napoleon as First Consul, which recognizes Catholicism as the “religion of the great majority” in France, while dropping claims to church lands seized during the overthrow of the old order.

Napoleon enters Notre Dame after Pius is already seated. He arrives with his wife, Josephine, in a carriage drawn by eight horses. He is gowned up in an eighty pound coronation mantle, supported by four manservants, and embroidered with “golden bees,” which he favors over the traditional fleur-de-lis symbol for France.

When the moment comes for the Pope to crown him, Napoleon intercedes by placing the laurel wreath on his own head and repeating the act for Josephine as Queen. Pius then intones his blessing:

May God confirm you on this throne and may Christ give you to rule with him in his eternal kingdom.^L

The action is completed with Napoleon placing his hands on the Bible and declaring his civil oath of office.

I swear to maintain the integrity of the territory of the Republic, to respect and enforce respect for the Concordat and freedom of religion, equality of rights, political and civil liberty, the irrevocability of the sale of national lands; not to raise any tax except in virtue of the law; to maintain the institution of Legion of Honor and to govern in the sole interest, happiness and glory of the French people.

As absolute monarch he is now eager to turn his energy against fulfilling the “glory of the French people.”

His sights, as always, are on the British, and reversing the losses suffered four decades ago in the Seven Year’s War. He will attack them on land and sea, along with any confederates who join them.

The days of French ascendance have arrived.

La Marseillaise (1792)	
French lyrics	English translation
<i>Allons enfants de la Patrie,</i>	Arise, children of the Fatherland,
<i>Le jour de gloire est arrivé!</i>	The day of glory has arrived!
<i>Contre nous de la tyrannie,</i>	Against us tyranny's
<i>L'étendard sanglant est levé, (bis)</i>	Bloody banner is raised,(repeat)
<i>Entendez-vous dans les campagnes</i>	Do you hear, in the countryside,
<i>Mugir ces féroces soldats?</i>	The roar of those ferocious soldiers?
<i>Ils viennent jusque dans nos bras</i>	They're coming right into our arms
<i>Égorger nos fils, nos compagnes!</i>	To cut the throats of our sons, our women!
<i>Aux armes, citoyens,</i>	To arms, citizens,
<i>Formez vos bataillons,</i>	Form your battalions,
<i>Marchons, marchons!</i>	Let's march, let's march!
<i>Qu'un sang impur</i>	Let an impure blood
<i>Abreuve nos sillons! (bis)</i>	Water our furrows! (Repeat)

Time: 1715 – 1855

Sidebar: Roll Call of Key 18-19th Century Foreign Monarchs

France	Begins Reign	Ends Reign
Louis XV	Sept 1, 1715	May 10, 1774
Louis XVI	May 10, 1774	Sept 21, 1792
First Republic	1792	1804
Napoleon I	May 18, 1804	April 11, 1814
Louis XVIII	April 11, 1814	March 20, 1815
Napoleon I	March 20, 1815	June 22, 1815
Napoleon II	June 22, 1815	July 7, 1815
Louis XVIII	July 7, 1815	Sept 16, 1824
Charles X	Sept 16, 1824	Aug 2, 1830
Louis-Phillipe I	August 9, 1830	Feb 24, 1848
Second Republic	1848	1852
Napoleon III	Dec 2, 1852	Sept 4, 1870
England		
George II	June 11, 1727	Oct 25, 1760
George III	Oct 25, 1760	Jan 29, 1820
George IV	Jan 29, 1820	June 26, 1830
William IV	June 26, 1830	June 20, 1837
Victoria	June 20, 1837	Jan 22, 1901
Spain		
Charles III	Aug 10, 1759	Dec 14, 1788
Charles IV	Dec 14, 1788	March 19, 1808
Ferdinand VII	March 19, 1808	May 6, 1808
Joseph I	May 6, 1808	Dec 11, 1813
Ferdinand VII	Dec 11, 1813	Sept 29, 1833
Isabella II	Sept 29, 1833	Sept 30, 1868
Prussia		
Frederick I	January 18, 1701	February 25, 1713
Frederick William I	February 25, 1713	May 31, 1740
Frederick II (Great)	May 31, 1740	Aug 17, 1786
Frederick-William II	Aug 17, 1786	Nov. 16, 1797
Frederick William III	Nov. 16, 1797	June 7, 1840
Federick William IV	June 7, 1840	Jan 2, 1861
Russia		
Catherine The Great	July 9, 1762	Nov 17, 1796
Paul I	Nov 17, 1796	Mar 23, 1801
Alexander I	Mar 23, 1801	Dec 1, 1825
Nicholas I	Dec 1, 1825	Mar 2, 1855
Alexander II	Mar 2, 1855	Mar 13, 1881

Time: October 21, 1805

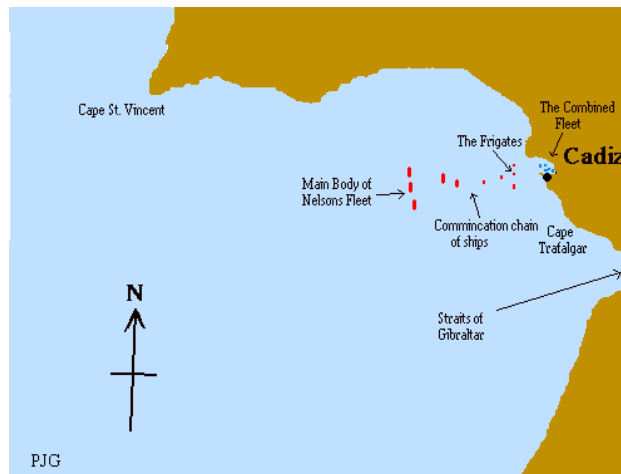
Napoleon's Momentum is Hindered Momentarily by Lord Nelson at Trafalgar



Viscount Horatio Nelson (1758-1805)

By the late summer of 1805, Napoleon has completed his plan to invade the British Isles, and has assembled a naval armada of French and Spanish ships to support the attack. But the invasion is delayed after Austria and Russia enter the war. Still, Napoleon is displeased by the lack of aggression he sees in the commanding officer of his fleet, Admiral Pierre-Charles de Villeneuve, who learns that he is about to be relieved.

On October 20, 1805, before his replacement can arrive, Villeneuve departs the port of Cadiz on the southwest coast of Spain, intending to sail south past Cape Trafalgar and the Straits of Gibraltar, into the Mediterranean and the French port of Toulon.



Cape Trafalgar off the Coast of Cadiz above Gibraltar

Villeneuve's fleet is formidable, comprising 33 heavy duty warships, with some 30,000 sailors and 2,568 guns.

At 11AM on October 21, they encounter the British navy, under the command of Captain Horatio Nelson, aboard his HMS Victory.



H M S VICTORY IN PORTSMOUTH HARBOUR

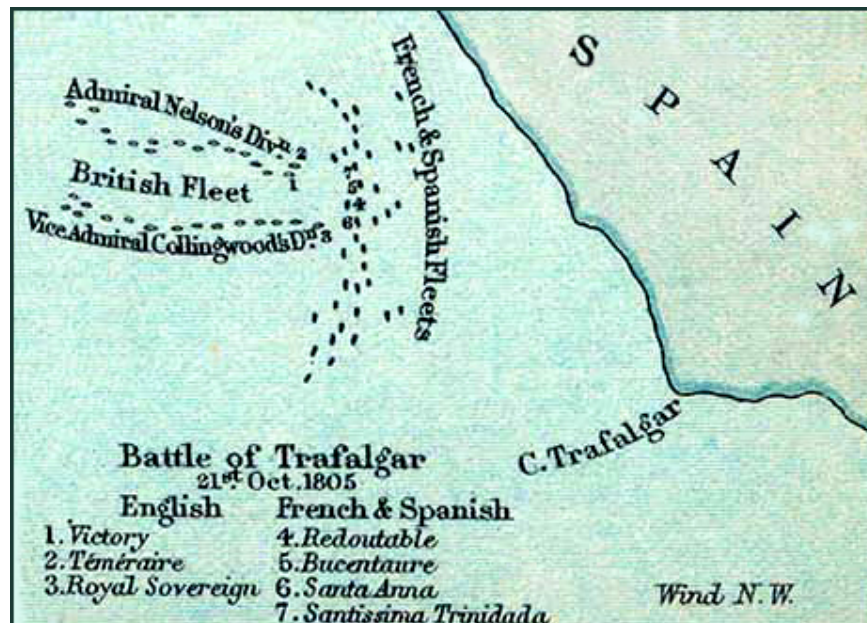
Nelson's Ship HMS Victory

Nelson is already a legend within the Royal Navy. He enlists as an Ordinary Seaman at age twelve, serving under his uncle, Captain Maurice Suckling, who turns him into a first rate sailor, despite his lifelong bouts of seasickness. By December 1778, age twenty, he is Master and Commander of the sloop *HMS Badger*. He is engaged briefly around Boston and New York during America's Revolutionary War, then becomes a national hero in February 1797, after capturing two Spanish warships at the Battle of St. Vincent.

He is almost killed on multiple occasions. In 1794 enemy shot leaves him blinded in his right eye. On July 24, 1797, his left arm is shattered by a musket ball while leading a failed landing party assault on the Canary Island city of Santa Cruz de Tenerife. Amputation follows. In 1798 Nelson is knocked unconscious by shrapnel during the victorious Battle of the Nile. Afterwards he is awarded the honorary titles of Baron and Viscount.

On October 21, 1805, Nelson has been battling the British and French off and on for some twelve years. He is 47 years old and Vice Admiral of the White (ensign) Fleet, second highest command in the Royal Navy. He has 27 warships at his disposal, with 17,000 men and 2,148 guns.

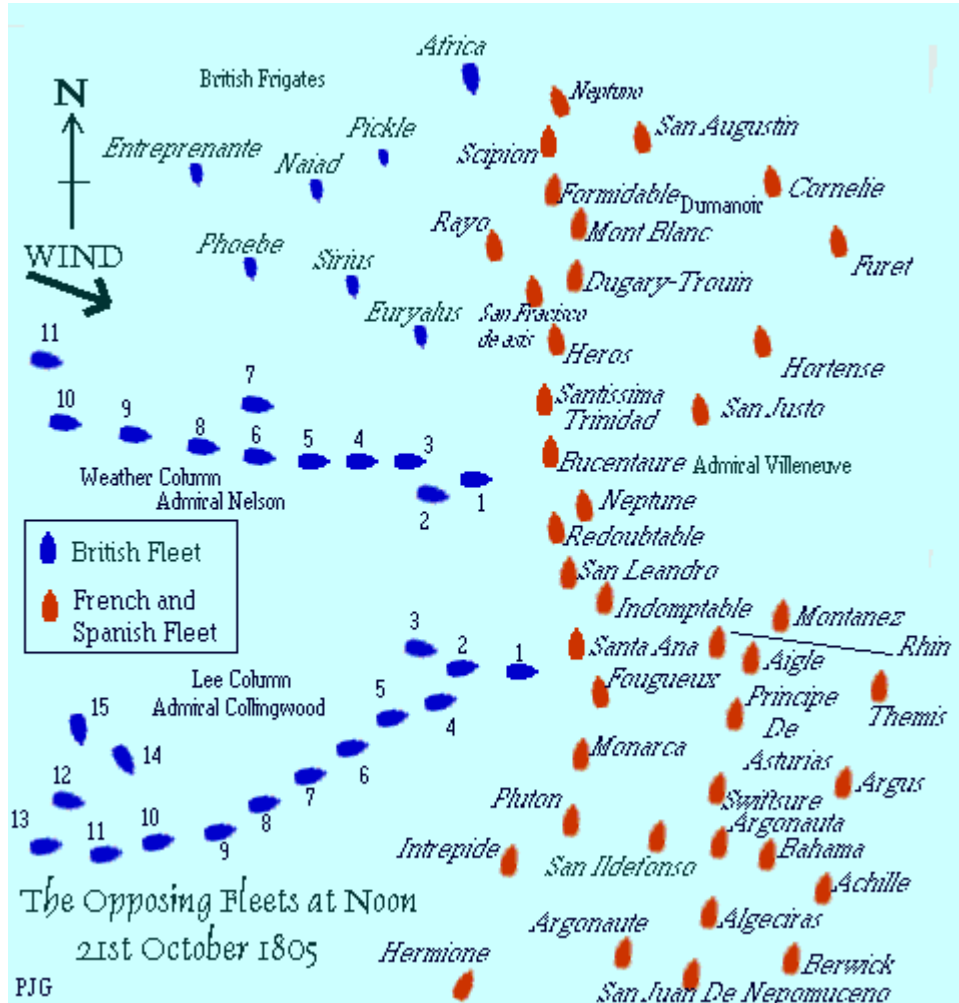
At 8AM the two fleets spot each other from a distance, the French still heading south toward Gibraltar, the English coming at them from the west. Villeneuve order his four-masters "to wear" (or jibe), reversing course to head back to Cadiz. But Nelson keeps coming onto him. The famous command -- "England expects that every man will do his duty"—is flagged up.



Nelson's Very Unconventional Maneuver against the French Fleet at Trafalgar

Around noon, the ships close on one another, with traditional naval strategy calling for Nelson to turn and “form lines of battle” stations parallel to the enemy. Instead, he plows straight ahead, striking the French in perpendicular fashion, and bringing on a “pell-mell” series of ship against ship action favorable to his more skilled seaman. This move, executed at no small risk of receiving initial broadside fire, also allows him to shoot into the sterns of many French ships, with the fire traveling through the entire length of the ship, to the bow.

Nelson himself commands the lead ship, HMS Victory, into the fray.



Greater Detail on Nelson's Straight on Line of Attack

British Line of Battle	
Weather Column	Lee Column
1. <i>Victory</i>	1. <i>Royal Sovereign</i>
2. <i>Temeraire</i>	2. <i>Bellisle</i>
3. <i>Neptune</i>	3. <i>Colossus</i>
4. <i>Leviathan</i>	4. <i>Mars</i>
5. <i>Conqueror</i>	5. <i>Tonnant</i>
6. <i>Agamemnon</i>	6. <i>Bellerophon</i>
7. <i>Britannia</i>	7. <i>Achille</i>
8. <i>Ajax</i>	8. <i>Polyphemus</i>
9. <i>Orion</i>	9. <i>Revenge</i>
10. <i>Minotaur</i>	10. <i>Swiftsure</i>
11. <i>Spartiate</i>	11. <i>Defence</i>
	12. <i>Thunderer</i>
	13. <i>Defiance</i>
	14. <i>Prince</i>
	15. <i>Dreadnought</i>

As *Victory* locks with the French *Redoubtable*, a musket ball takes Nelson in the left shoulder, slices through his seventh cervical vertebrae and lodges in his right shoulder. He knows immediately that the wound is fatal, and says so to his surgeon.

You can do nothing for me. I have but a short time to live. My back is shot through.

He lingers below decks for another 3½ hours, still issuing orders, before succumbing to his wound. His last words are recorded as “Thank God I have done my duty.”

And his victory at Trafalgar is striking. Villaneuve’s fleet has suffered on ship sunk, seventeen ships captured, another eleven partially damaged and only four escaping unscathed. Some 4,500 of their seamen are killed, with another 2,400 wounded and 7,000 taken prisoner. On the British side, no ships are lost for good and total dead and wounded total 1,450.

The Royal Navy has again demonstrated his supremacy on the high seas, and Napoleon casts aside all thoughts of an invasion of the English Isles.

Despite this, Britain mourns the loss of its most famous admiral. His body is packed inside a cask of brandy and other agents for preservation. This is towed home alone with his wounded ship, *Victory*. On January 9, 1806, England’s most famous naval figure is interred at St. Paul’s Cathedral.

December 2, 1805 – October 14, 1806

On Land, the French Win One Major Battle after Another



French Soldiers on the March

Napoleon is characteristically undaunted by the loss at Trafalgar.

On December 2, 1805, in the nine hour “Battle of The Three Kings” – near Austerlitz (now in the Czech Republic) -- his undermanned force (73,000 vs. 86,000) pulls a stunning victory against Alexander I of Russia and the Holy Roman Emperor Francis II. Casualties for the day total a staggering 36,000 men. In response to the loss, Francis gives up his Holy Roman title and becomes simply King of Austria.

Less than a year later, on October 14, 1806, Napoleon soundly defeats the 110,000 man Prussian army, in the two-part battle of Jena-Auerstadt, winning control over territory in what is now central Germany and Poland. Casualties here are even greater than at Austerlitz, totaling 50,000 soldiers.




France Extends its Borders as Napoleon Emerges Victorious

With these two pivotal triumphs, he now effectively controls all of Europe, except for Portugal, and he again moves against the British by imposing a Continental Blockade halting all trade with England in his Berlin Decree, issued on November 21, 1806.

Napoleon's Early Campaigns

1792	1 st Coalition War vs. Austria and Prussia (end 1797)
1793	Siege of Toulon (southern France) – Napoleon wins first fame
1795	N quells pro-monarchy insurrection in Paris
1797	First Italian campaign (victories at Lodi and Arcola)
1798	Expedition to Egypt and Syria
1799	N seizes power in Paris as First Consul of the Republic
	2 nd Coalition vs. Russia, UK, Austria, Naples, Vatican, etc (end 1802)
1800	Second Italian campaign (victory at Marengo (nw Italy) over Austria
	Spain trades Louisiana Territory back to France for Tuscan land
	France ends its Quasi-War with the US
1802	Treaty of Amiens ends war with Britain (for one year)
	N expanding his power over France
1803	Britain declares war on France
1804	3 rd Coalition vs. Britain, Austria, Prussia
1805	Napoleon crowns himself Emperor of France
1805	British defeat French invasion fleet at Trafalgar
	Battle of the Three Kings at Austerlitz – N beats Austria and Russia
1806	4 th Coalition vs. Prussia and Russia
	Battle of Jena-Auerstedt – N beats Prussia

Chapter 47. British Acts of War Lead to Jefferson Ruinous Embargo Act (1805-1807)

 <p style="text-align: center;">Ships at Sea off Gibraltar</p>	<p>Sections</p> <ul style="list-style-type: none"> • Britain “Impresses” American Sailors to Man their Ships Against France • <i>HMS Leopold</i> Attacks the <i>USS Chesapeake</i> off of Norfolk, Virginia • The Embargo Act of 1807 Boomerangs on the Administration • Jefferson Repeals the Embargo as his Second Term Ends 	<p>Macro-Themes</p> <p>International Affairs</p> <ul style="list-style-type: none"> - Napoleonic Wars Affect America - British Interfere with US Ships - Impressment of US Sailors - Blockading by Britain and France <p>War</p> <ul style="list-style-type: none"> - Britain Attacks <i>USS Chesapeake</i> <p>Economy</p> <ul style="list-style-type: none"> - The Embargo Act of 1807 - Embargo Act Cripples US Trade - Smuggling Becomes Widespread - Nullification Threats Materialize <p>Politics</p> <ul style="list-style-type: none"> - Jefferson Repeals the Embargo
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Time: 1805-1806

Britain “Impresses” American Sailors to Man their Ships Against France



Napoleon’s rampage across Europe and his war with Britain inevitably brings Jefferson into the middle of a conflict he would rather avoid.

The conflict is triggered by British “impressment” of American sailors.

Unlike the French with its dominant land army, the British rely on their Royal Navy to defend the homeland and their possessions around the globe. By 1805, as Napoleon notches one victory after another, they rush to build up their corps of able-bodied seamen from a peacetime force of 10,000 to the 140,000 level they feel are needed for war. Their search turns in part to British sailors who have deserted the harsh conditions and disciplines imposed by their ship captains. Nelson pegs this figure at around 40,000 men – with many of them taking refuge on board more lenient American ships.

Britain’s plan is to “retrieve” these nationals and return them to the Royal Navy. At the same time, King George III, still smarting from the French-backed defeat at Yorktown, and assuming that Jefferson favors his former allies, supports the notion of snatching American sailors as a justifiable form of pay-back.

Before proceeding, however, Britain looks for a legal rationale to stop and board American ships. They find this in the *Essex* Decision rendered on May 22, 1805. The case involves a compensation claim filed by owners of the American merchant vessel *Essex* seized in 1799 while carrying Spanish cargo. The ruling goes against the plaintiff --and ends a loophole which allows American vessels to carry goods from a warring nation’s foreign port to their home port, if they make an intervening stop in an American harbor.

To insure that American ships are no longer carrying cargo from the French West Indies to France itself, Britain will henceforth feel free to stop and search U.S. ships. In practice they will also use these stops as an excuse to seize sailors.

“Press gangs” are formed to carry out the policy, and by 1806 it’s estimated that some 10,000 seamen have been taken, some British deserters, but also many Americans. A major diplomatic controversy follows.

On February 12, 1806, the Senate passes a resolution condemning Britain’s seizure of American ships and seamen. Actual sanctions follow on April 18 in the Non-Importation Act which bans all British hemp, brass, nails, wool, glass, clothing, leather, hats and beer from entering American ports.

Further commercial interruptions follow. Napoleon enters the act on November 11, 1806, with his Berlin Decree which intends to cut Britain off from all foreign imports, including those from the United States. When the British follow suit, all shipping activities between America and the two combatants are curtailed.

Jefferson continually tries to defuse the tensions with Britain. In August 1806, Secretary of State, James Monroe, and his aid, William Pinkney, open talks with representatives of the Whig Prime Minister, Lord Grenville. These lead nowhere, and end with a December 31 Treaty that disappoints Jefferson to the extent that he refuses to send it to the Senate for approval.

Time: June 22 to October 17, 1807

HMS Leopold Attacks the USS Chesapeake off of Norfolk, Virginia



An American Sailor

Six months later, on June 22, 1807, the conflict ratchets up sharply as the 50 gun *HMS Leopold* attacks an American naval ship, the *USS Chesapeake*, off the coast of Norfolk, Virginia. After falsely informing the *Leopold* that it has no British deserters in its 340 man crew and that it will not submit to a boarding party search, the *Chesapeake* turns to sail away. As it does so, it is struck by a full broadside bombardment. The surprised Americans are able to get off only one round of return fire before they strike their colors and surrender. Three U.S. sailors are killed and another 18 are wounded in the brief action.

A press gang from the *Leopold* boards and searches the *Chesapeake* and arrests four men claimed to be British nationals and deserters. Three turn out to be Americans, eventually released after their sentence of 500 lashes is commuted. The fourth man, Jenkin Ratford, is in fact a British born deserter. He is soon tried and hanged from the yardarm of the *HMS Halifax*.

The American public is outraged by the incident, and Jefferson feels the pressure to retaliate.

Never since the Battle of Lexington have I seen this country in such a state of exasperation as at present, and even that did not produce such unanimity.

His response, however, is measured and restrained. Secretary of State James Madison issues a protest which demands that the British government condemn the *Leopold's* actions, return the captured Americans, remove its warships from American waters and end the practice of impressment.

On October 17, Britain responds publicly, declaring its intent to ignore the American demands and step up its impressment activities.

Jefferson is now caught between the open belligerence of the British and the growing public demand for further action to defend the nation's honor.

He refuses to call Congress into a special session for fear of an immediate war resolution, but he does order all U.S. warships abroad to head home in case they are needed.

He then ponders what to do about America's fleet of merchant ships.

Time: December 22, 1807

The Embargo Act of 1807 Boomerangs on the Administration

Secretary of State James Madison proposes a solution: the safest way to avoid war and to protect the nation's ships lies in restricting all commercial traffic between America and all foreign ports.

Ships that stay in American waters and move only between one domestic port and another cannot be accused of interfering in the European conflict, and will be more readily protected by the U.S. naval fleet.

Jefferson announces this idea in his seventh annual message to Congress on December 18, 1807.

To the Senate and House of Representatives of the United States: The communications now made, showing the great and increasing dangers with which our vessels, our seamen, and merchandise are threatened on the high seas and elsewhere, from the belligerent powers of Europe, and it being of great importance to keep in safety these essential resources, I deem it my duty to recommend the subject to the consideration of Congress, who will doubtless perceive all the advantages which may be expected from an inhibition of the departure of our vessels from the ports of the United States. Their wisdom will also see the necessity of making every preparation for whatever events may grow out of the present crisis.

The Embargo Act of 1807 passes in the Senate on December 18 by a margin of 22-6. Of the six nays, three are Federalists (Pickering of Mass, Hilhouse of Md and White of Del) and three are Democratic-Republicans (Crawford of Ga, Maclay of Pa and Goodrich of Conn). The House follows suit and the bill becomes law on December 22. The House concurs by 82-44 on December 21.

Details are as follows:

- American merchant ships are banned from setting sail to any and all foreign ports.
- Ships engaged in domestic traffic must post a “good will” bond before departing.
- U.S. Navy warships will enforce these rules.
- Any exceptions must be authorized directly by the President.

If effect, Jefferson and Madison intend to pull America back into a defensive posture, while Britain and France fight it out for European hegemony.

But instead of the public support they expect for the Act, the result is open hostility.

States that depend on international trade experience sharp economic downturns. Traders turn to smuggling to earn a living. Prices jump up on “necessities of life” in short supply and down on embargoed exports. Fear spreads that, if the ban goes on long enough, European customers for American exports will find alternative sources of supply.

On February 1, 1808, ex-Secretary of State Thomas Pickering calls for a convention of states who wish to “nullify” the act. Connecticut Governor John Trumbull follows on February 22 by telling his legislature that the act is unconstitutional, and that he will refuse to have the state militia enforce it.

Treasury Secretary Albert Gallatin also shares his concerns with Jefferson.

As to the hope that it may...induce England to treat us better, I think is entirely groundless...government prohibitions do always more mischief than had been calculated; and it is not without much hesitation that a statesman should hazard to regulate the concerns of individuals as if he could do it better than themselves.

Neither Jefferson nor Madison is ready to back off in the face of the internal pressure. Rather than reversing course, they embark on an almost Adams-like crackdown on those who resist the ban.

The most egregious violations appear in the Northeast, with overland and river route smuggling to and from Canada becoming commonplace. To suppress this, Jefferson invokes the Insurrection Act of March 3, 1807 -- which gives him the power to call in the standing federal army, not simply state militias, to suppress those obstructing the law.

[I]n all cases of insurrection, or obstruction to the laws, either of the United States, or of any individual state or territory, where it is lawful for the President of the United States to call forth the militia for the purpose of suppressing such insurrection, or of causing the laws to be duly executed, it shall be lawful for him to employ, for the same purposes, such part of the land or naval force of the United States, as shall be judged necessary, having first observed all the pre-requisites of the law in that respect.

Time: 1808-1809

Jefferson Repeals the Embargo as his Second Term Ends

On March 12, 1808, further strictures are added to the Embargo Act. Stiff \$10,000 fines for those violating the ban become law, and port authorities are granted the power to search suspect ships and seize

cargoes, without securing advance warrants. Madison remains convinced that the Embargo will succeed if only it is properly enforced.

Even Jefferson's most devoted backers are surprised by his readiness to use central government weapons – even the standing army -- against the clear wishes of a host of individual states and citizens. Hamilton might resort to this tactic; but to watch Jefferson and Madison engage this way is shocking to many Republicans.

In the end, the 1807 Embargo survives over 15 months before the President gives in. The Act has had little effect on the European war, while producing widespread public resistance at home, including a resurgence of the Federalist party. Its only benefit has been to encourage the growth of domestic manufacturers, to fill the void in foreign imports.

Despite opposition from Madison, Jefferson repeals the Embargo during his last week in office.


On March 1, 1809, the so-called Non-Intercourse Act goes into effect. It allows shipping to resume with all nations except Britain and France. It also dangles a carrot in front of the two belligerents, offering a resumption of trade in exchange for a commitment to end future interference with American ships and sailors.

As with many presidents, the toll taken by second term reversals weighs heavily on Jefferson. His last six months in office reflect near paralysis, and, as typical, he captures his feelings in a succinct metaphor:

Never did a prisoner, released from his chains, feel such relief as I shall on shaking off the shackles of power.

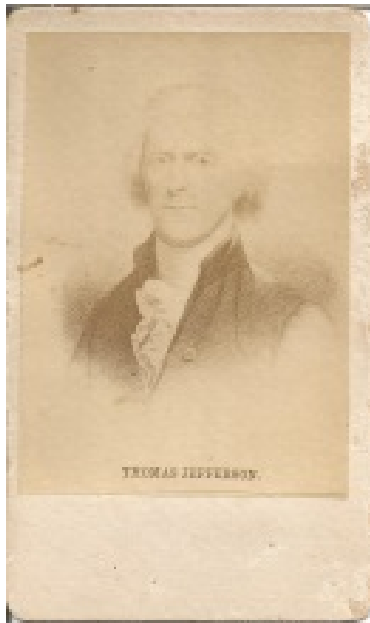
Of course neither his short-term influence on the future course of American politics, nor his long-term legacy, ends in 1809 as he departs for Monticello.

Chapter 48. Jefferson's Lasting Legacies (1776-1826)

 <p>Thomas Jefferson (1743-1826)</p>	<p>Sections</p> <ul style="list-style-type: none"> • Jefferson's Principles of Government • Jefferson's Rationalization on Slavery 	<p>Macro-Themes</p> <p>Governance</p> <ul style="list-style-type: none"> - Jeffersonian Democracy - Commitment to Westward Expansion - Integration of New States into the Union - Power to the People Over Politicians - Sharp Limits on Federal Government - Abhorrence of Federal Debt - Distrust of Bankers and Corporations - Importance of a Well Educated Public - Belief in a Natural Aristocracy of Leaders <p>Slavery</p> <ul style="list-style-type: none"> - Jefferson's Observations over Time - Slavery is Morally Abhorrent - But He Rationalizes the Practice - Blacks are Inherently Inferior - They Would Take Revenge if Freed - They Can Never be Assimilated - They Should be Educated and Expatriated
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Time: 1776-1826

Jefferson's Principles of Government



Thomas Jefferson's political philosophy will dominate the American scene over the next four decades.

The Democratic Party he founds turns the country away from the Federalist principles espoused by Washington, Hamilton and Adams and relegates their followers to minority status in congress.

Jefferson also works the political process in such a way that he hands the presidency over to his two Virginian protégés – Madison and Monroe – thereby extending his behind-the-scenes' power another 16 years, almost to his death (and Adams) on July 4, 1826, fifty years to the day from the adoption of his monumental Declaration of Independence.

The central themes of Jefferson's presidency will ring down the generations to follow:

- The shift in focus from the original 13 colonies to the acquisition and development of the vast lands west of the Appalachians and then of the Mississippi River – a shift which sets America’s “manifest destiny” in motion and provides the Democratic Party with a long-run lock on western voters.
- Commitment to firmly integrating the new states into the Union based on the ideals in the Constitution.
- The libertarian drive to insure that power remains in the hands of individual citizens distributed across the states – and away from centralized power blocks, be they in the form of government or churches or economic entities.
- A wish to sharply limit the size of a central government and concentrate its role on foreign policy rather than domestic policy which, according to “his” Tenth Amendment, involves “rights belonging to the states.”
- Belief that common local men will prove superior to distant politicians in debating and resolving social needs or problems arising in their own communities.
- Abhorrence of public debt and strict limits on taxation and spending, in order to minimize government’s impact on the lives of citizens.
- A deep and abiding distrust of bankers, soft money and the banking system in general, especially Hailton’s central United States Bank.
- A similar fear of capitalism and corporations, where money trumps labor and white men run the risk of being reduced to wage slaves.
- A conviction that all white Americans should have access to free public education, and to the development of outstanding colleges, such as the University of Virginia, which he founded in 1785.
- Undying faith in the power of the Union and a commitment to preserve it against all threats, foreign or domestic.

While also having faith in the basically good intentions of common men, he firmly believes that leadership belongs with a “natural aristocracy.” As he says in an 1813 note to Adams:

For I agree with you that there a natural aristocracy among men. The grounds of this are virtue and talents. There is an artificial aristocracy founded on wealth and birth, without either virtue or talents. The natural aristocracy I consider the most precious gift of nature for the instruction, the trusts, and government of society.

Interwoven with all these principles is Jefferson’s commitment to the southern, agrarian way of life he has known since childhood – including slavery.

So a final part of his legacy comes back to his an examination of his words and deeds relative to that institution.

Time: 1776-1826

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Time: 1743-1826

Jefferson's Rationalizations on Slavery

Thomas Jefferson lives among slaves all his life. They provide the hard labor required to build his mountain-top home and miniature town, grow and harvest his farm crops, operate his mill and brewery, his spindles and nailery, cook and serve his fine French cuisine, pay off his debts, and, in the case of Sally Hemmings, act as his surrogate wife after Martha dies in 1782.

They seem to fascinate him intellectually. He studies them: their physical, mental and emotional traits, their joys and sorrows, the ways in which they deal with their fate. Almost in scientific fashion, he records these observations in his Farm Book and in his Notes On The State of Virginia, first drafted in 1781 and completed in 1785.

Throughout his life he also reflects on the institution of slavery, and on his personal relationship to it.

In a telling 1805 note to William Burwell, his private secretary, he describes a range of attitudes toward slavery he has encountered among owners:

There are many virtuous men who would make any sacrifices to effect it. Many equally virtuous who persuade themselves either that the thing is not wrong, or that it cannot be remedied. And very many, with whom interest is morality.

Over time, he seems to see himself belonging in the first class – ready to make “any sacrifices” to end the practice. This is clear in a 1788 letter to Jacques Brissot, a leading proponent of abolition in France.

You know that nobody wishes more ardently to see an abolition not only of the trade but of the condition of slavery: and certainly nobody will be more willing to encounter every sacrifice for that object.

He reiterates this, using similar words, a quarter of a century later in an 1814 letter to his friend, the academician, Thomas Cooper.

There is nothing I would not sacrifice to a practicable plan of abolishing every vestige of this moral and political depravity.

Like Hamlet, Jefferson asserts that he is ready to act to correct that which is morally wrong to him -- if only he can arrive at a proper remedy. And therein lies the rub.

His contact with the Africans has convinced him that they probably have descended from a different species, and are biologically inferior to white men. Given this, he tells Edward Bancroft in 1789 that releasing the slaves would be tantamount to “abandoning children.”

As far as I can judge from the experiments which have been made, to give liberty to, or rather, to abandon persons whose habits have been formed in slavery is like abandoning children.

Other barriers to abolition materialize over time.

If freed, the Africans could never be assimilated. His 1785 Notes lay out the reasons why.

It will probably be asked, Why not retain and incorporate the blacks into the state? Deep rooted prejudices entertained by the whites; ten thousand recollections, by the blacks, of the injuries they have sustained; new provocations; the real distinctions which nature has made; and many other circumstances, will divide us into parties, and produce convulsions which will probably never end but in the extermination of the one or the other race.

In 1803 a letter to James Monroe cites the events surrounding Toussaint’s slave rebellion in Saint-Domingue (Haiti) as evidence of the inevitable violence between the two races, if freedom is granted.

I become daily more & more convinced that all the West India islands will remain in the hands of the people of colour, & a total expulsion of the whites sooner or later take place.

What is left then is re-colonization, the solution he references in his 1814 letter to his Virginia neighbor and anti-slavery advocate, Edward Coles.

I have seen no proposition so expedient on the whole, as that of emancipation of those born after a given day, and of their education and expatriation at a proper age.

So Jefferson appears to come full circle, back to his 1785 Notes. His intellect tells him that no matter the biological inferiority of the Africans, taking away their freedom and forcing them into slavery is morally corrupt and an affront to God’s justice.

The whole commerce between master and slave is a perpetual exercise of the most boisterous passions, the most unremitting despotism on the one part, and degrading submissions on the other. Our children see this, and learn to imitate it...The parent storms, the child looks on, catches the lineaments of wrath, puts on the same airs in the circle of smaller slaves, gives a loose to his worst passions, and thus nursed, educated and daily exercised in tyranny, cannot but be stamped by it with odious peculiarities.

If a slave can have a country in this world, it must be any other in preference to that in which he is to be born to live and labor for another ... or entail his own miserable condition on the endless generations proceeding from him.

Indeed, I tremble for my country when I reflect that God is just: that his justice cannot sleep forever.

He “trembles” again for his country during the 1820 Missouri crisis – “a fire bell in the night” – and once more, as seer, in an 1821 autobiographical reflection.

Nothing is more certainly written in the book of fate than that these people are to be free. Nor is it less certain that the two races, equally free, cannot live in the same government.

Taken together, Jefferson's rhetoric is of the virtuous man who recognizes the evils of slavery, is ready to make any sacrifice to end it, but simply sees no viable way out of the dilemma.

All that's left for him is to do the best he can in the inevitable presence of slavery -- a Herculean task, as he points out in his Notes:

The man must be a prodigy who can retain his manners and morals undepraved by such circumstances.

One suspects again that Jefferson sees himself in this observation – the rare “prodigy” able to rise above the coarsening realities of slavery that surround him.

But is this truly the case? How well do Jefferson's words match up with his actions as a slave owner?

The record here seems mixed.

There is no evidence to support the notion that he was personally harsh in dealing with his slaves. He did, however, expect reasonable levels of “industry” from them, and hired overseers such as William Page and Gabriel Lilly, both known for resorting to the whip to enforce discipline.

More troubling is his assignment of young children to handle some particularly onerous tasks. Because of their short stature, some spend days at a time on hands and knees in the dirt plucking and killing tobacco worms. Others end up in the “nailery,” crowded around a flaming forge in the summer heat, converting iron nail rods into various sizes of finished nails. Jefferson is particularly proud of this factory operation, oversees it himself, and remarks on its profitability.

I now employ a dozen little boys from 10. to 16. years of age, overlooking all the details of their business myself and drawing from it a profit.

It is precisely this tendency to prioritize personal profits over the well-being of his slaves that counts most in calling Jefferson's moral sense into question.

On one hand he will insist that the slaves are part of “his family;” on the other, he will sell them off whenever economic necessity calls.

For a man with great sensitivity to language, his words about “breeding women” in his Farm Book are both cold and calculating.

The loss of 5 little ones in 4 years induces me to fear that the overseers do not permit the women to devote as much time as is necessary to the care of their children; that they view their labor as the 1st object and the raising their child but as secondary.

I consider the labor of a breeding woman as no object, and a child raised every 2. years is of more profit then the crop of the best laboring man. In this, as in all other cases, providence has made our duties and our interests coincide perfectly.... With respect therefore to our women & their children

I must pray you to inculcate upon the overseers that it is not their labor, but their increase which is the first consideration with us."

Likewise his "investment advice" to friends.

Invest every (spare) farthing in land and negroes, which besides a present support bring a silent profit of from 5 to 10 per cent in this country, by the increase in their value.

Here indeed his slaves are reduced from "family" to "property," to be bred and fed and sold at auction. And sell them he does. Never as a "commercial trader" like his father-in-law; rather out of expediency, to buy the many things he wants for Monticello and to pay off debts.

In the decade from 1784 to 1794, records show that he disposes of some 161 slaves. More sales would follow, always accompanied by a stated wish to "keep families together"...

To indulge connections seriously formed by those people, where it can be done reasonably.

Always accompanied by...

Scruples about selling negroes but for delinquency, or on their own request.

Reservations aside, the commitment to "silent profit" also extends to Jefferson's last will and testament. Unlike Washington, he refuses to free his slaves upon his death, with the exception of some eight members of the Heming's family.

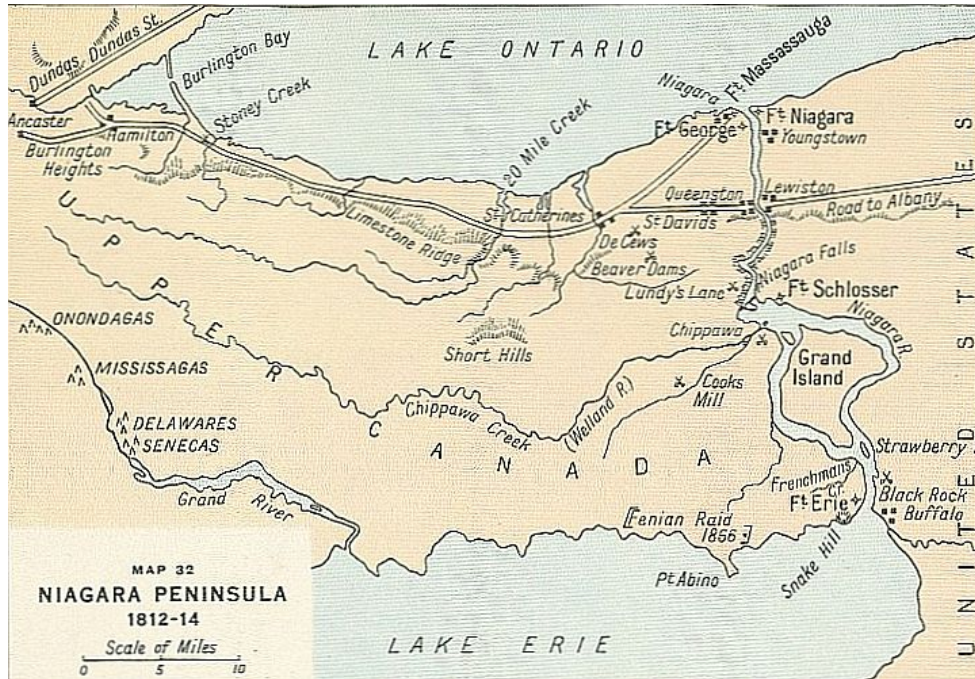
Words and deeds. Weighed in the balance, the record is mixed.

Jefferson is by no means the callous or uncaring slave master; but neither is he the "prodigy" he refers to in his 1805 note to Burwell.

At moments of economic necessity, self-interest too often trumps morality.

Time: Fall to Winter 1812

War along the Canadian Border Begins Badly



Battle Sites from Ft. Niagara (Lake Ontario) to Ft. Erie (Lake Erie)

What Madison and Secretary of War Eustis expected to be easy victories along the western edge of Lake Erie around Ft. Detroit, has turned into a string of humiliating defeats, with the August 16 surrender of the garrison and the sack of General William Hull.

The next American attack takes place on October 13, 1812, some 200 miles to the east of Detroit at Queenston Heights, just north of Niagara Falls. It pits a new U.S. commander, General Stephen Van Rensselaer and his 3500 troops against some 1300 British regulars and Mohawk warriors under Major General Isaac Brock, who had thrashed Hull eight weeks earlier.

Van Rensselaer is a political appointee, with limited training in warfare. His attack is poorly planned, an attempt to move from the east, via Lewistown, across the Niagara River and up a 300 foot incline to the entrenched British defenders. As the American cross over by boats, they come under withering fire from the British. Van Rensselaer fights heroically, while being hit six times by musket balls. But only a fraction of his forces cross the river, while the bulk cower in safety on the other side. Finally, those who crossed are forced to surrender.

The Americans suffer 270 killed or wounded and another 800 captured; British losses are around 100 men, most notably General Brock, who dies leading a charge. Van Rensselaer survives his wounds, but resigns his command.

These reversals drive increased criticism of Adams's overmatched Secretary of War, William Eustis. Madison wishes to replace him with Secretary of State, James Monroe, a Revolutionary War combat veteran, but Monroe declines. So instead, on January 13, 1813, Madison chooses John Armstrong, former

Revolutionary War fighter, U.S. Senator from New York, and ambassador to France. But Armstrong too is a controversial figure. The senate confirms him by a narrow 18-13 margin, and he too will be replaced 18 months later, for failing to defend Washington.

Time: Spring to Fall 1813

America Scores Victories at York, the Niagara Forts and Detroit



USS Defense

It is not until the spring of 1813 that fortunes begin to turn for the Americans in the Canadian theater. The strategy belongs to Armstrong, and it involves gaining control over Lake Ontario.

On April 27, 1813, General Zebulon Pike, the western explorer, sails from Sackett's Harbor along with 1700 troops to capture the provincial capital town of York (Toronto), situated on the northwest edge of the lake. The disorganized British defenders are quickly overwhelmed,

although Pike is killed when they blow up their own magazine to keep it out of American hands. Over the next two days the U.S. forces plunder and set fire to private homes and to the Legislative Assembly – a favor the British will return 16 months later in Washington.

Once York is secured, the American forces turn south to the two key British forts along the Niagara River, Ft. George on the southern shore of Ontario and Ft. Erie some 25 miles below it on Lake Erie.

The defenders of Ft. George expect the Americans to bombard and attack from their base at Fort Niagara on the east side of the river. But instead they come in landing craft on Lake Ontario, led by Lt. Colonel Winfield Scott, whose gallantry in the battle earns him lasting fame.

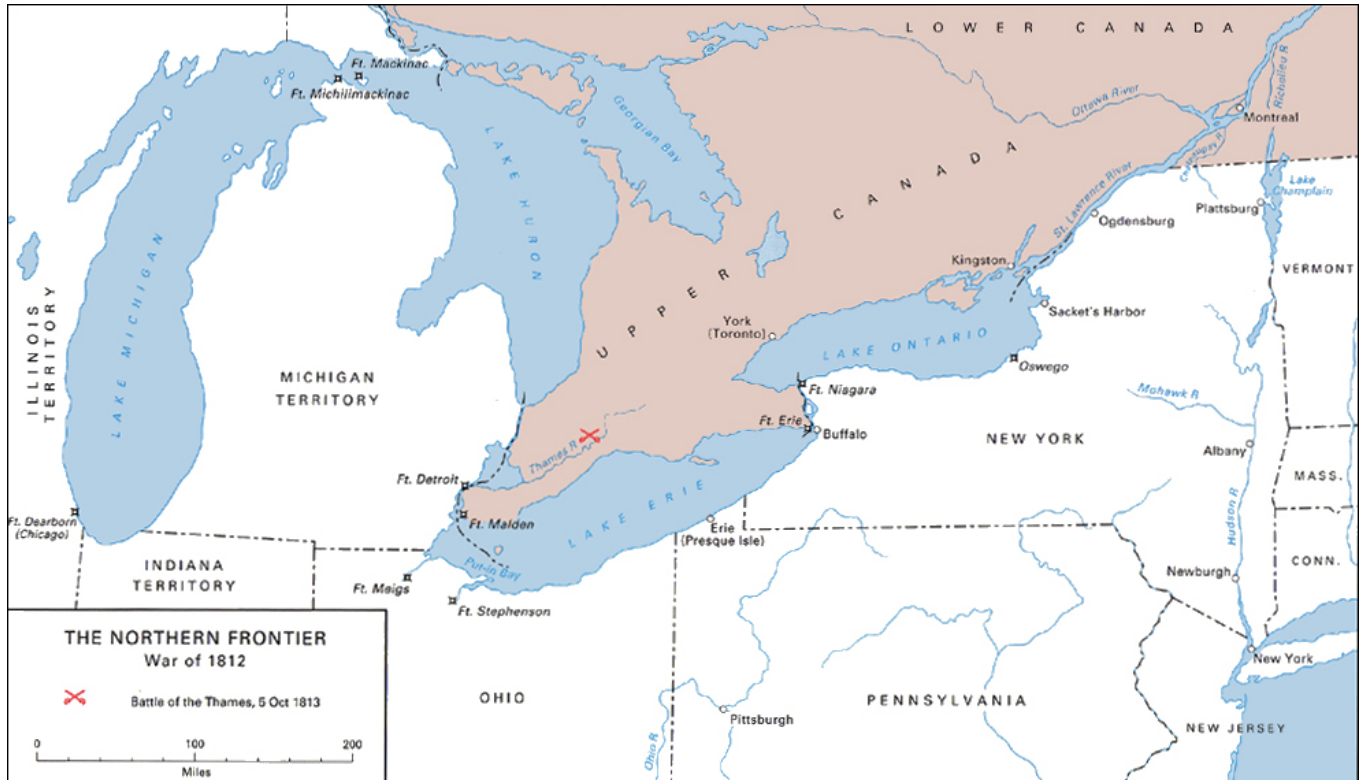
On May 27, the British commander, fearing encirclement, abandons Ft. George and retreat south, past Niagara Falls, and toward Ft. Erie.

Ft. Erie is the oldest British bastion in Ontario, and it is supported by royal navy vessels under Commander Robert Barclay. On the morning of September 10, 1813, he steers his six ship flotilla into a line of battle engagement with nine smaller U.S. ships under Admiral Oliver Hazard Perry. By 3PM, the Americans have won the day, and Perry sends off a message to General William Henry Harrison, leading ground troops against the fort itself:

General. We have met the enemy and they are ours. Two ships, two brigs, one schooner and one sloop. Yours. Perry

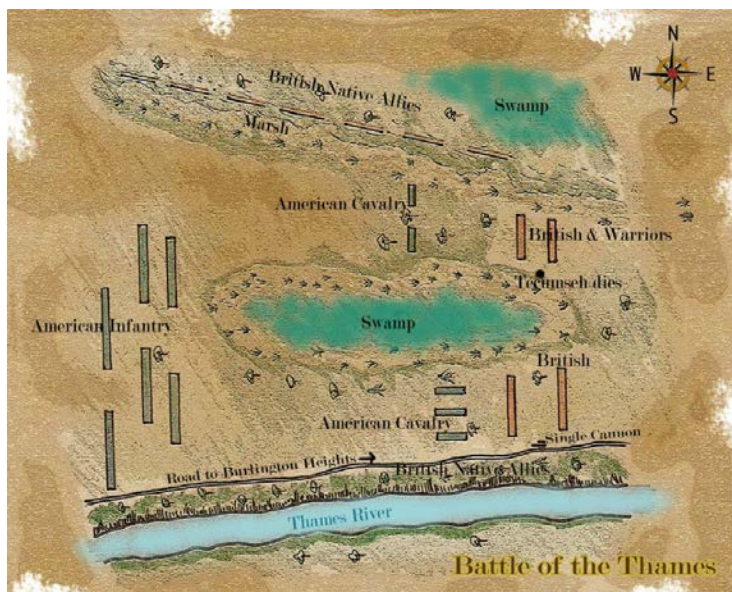
The Battle of Lake Erie is modest in size, but strategically important. It signals America's growing naval strength and it inhibits potential British and tribal incursion into Ohio, Pennsylvania and western New York.

Next comes an equally important victory, back west toward Detroit, in the Battle of the Thames.



With Perry and the American fleet now in control of Lake Erie, the British garrison at Detroit is immediately vulnerable. The commander, Major General Henry Proctor, moves his 800 regulars inland, to the east, along the Thames River. He is accompanied by a contingent of some 500 mostly Shawnee warriors, led by Tecumseh.

Harrison's forces number 3700 men, and he comes onto the retreating British on October 5, 1813, in a swampy area, some 65 miles upriver, near the town of Thamesville.



The red-coats are half-starved, fire off a few desultory rounds, and then surrender. Not so the Shawnees.

They put up stiff resistance – led by Tecumseh, who dies in battle. His death ends the threat of coordinated tribal and British action against the northwestern territories. And it propels the victorious “Tippecanoe” Harrison even further into the national spotlight.

After Thames, the Americans are happy to let the border war with Canada stabilize.

Time: Winter 1813 to Summer 1814

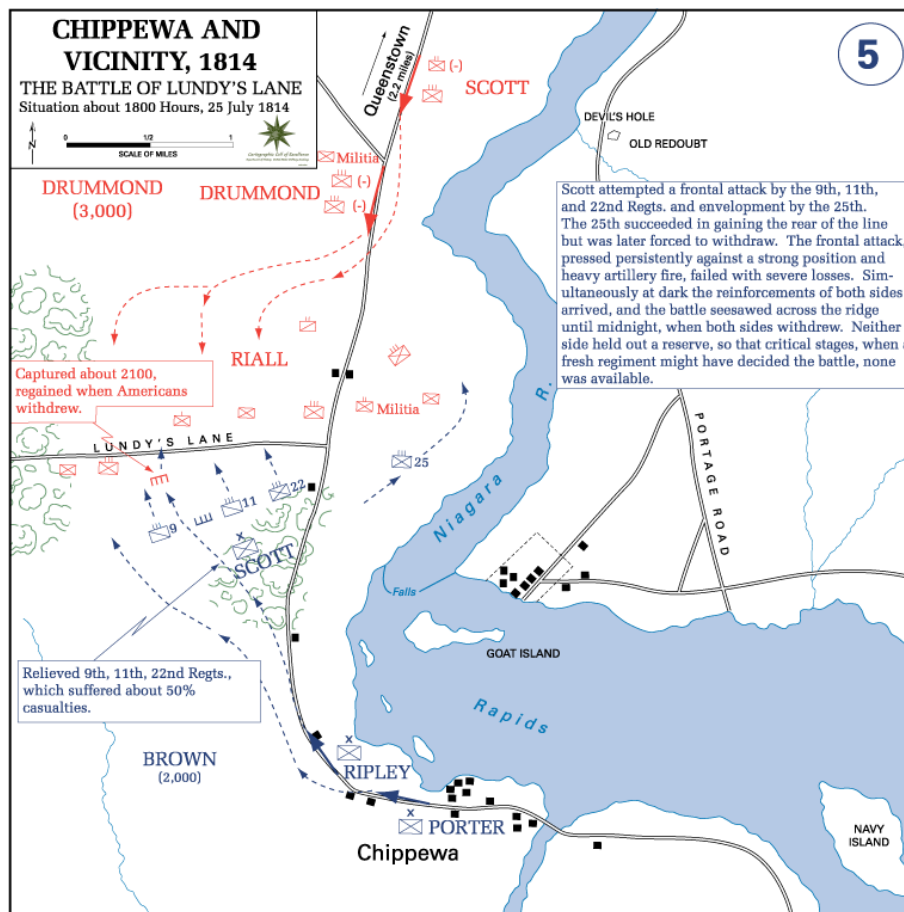
A Drawn Battle at Lundy's Lane Ends Fighting on the Border

But now the British refuse to cooperate.

By December 1813, they have retaken control of Ft. George along with America's Ft. Niagara, and begin to consolidate their forces for a drive south down the Niagara River toward Ft. Erie.

By July 5 they are some sixteen miles north of the fort when attacked at the Battle of Chippewa by British forces under General Sir Phineas Ball. Despite being outnumbered, American General Winfield Scott wins a decisive victory.

Three weeks later, on July 25, 1814, the fighting resumes, this time at Lundy's Lane in the bloodiest single battle of the war. The site of the clash is in Canada, roughly two miles west of Niagara Falls, the border line between New York to the east and Ontario to the west.



The Battle at Lundy's Lane (Ontario) Some Two Miles West of Niagara Falls

This engagement pits 3500 troops under British Generals Drummond and Riall against 2500 Americans under General Jacob Brown who come out to meet them.

This battle lasts from morning to midnight, ending in a stand-off. Casualties approach 875 men on each side. Among those severely wounded is Winfield Scott, whose military drilling and leadership have earned him the lasting moniker of “Old Fuss and Feathers.”

While both generals claim victory at Lundy’s Lane, the British continue their march south, and begin a siege of Ft. Erie, occupied since July 13 by the U.S. troops under General Edmund Gaines. The siege lasts for a month, before the British lift it on September 17, 1814.

At this point the conflict along the Canadian border is essentially over.

The easy victories that Madison expected in 1812 have never materialized. However, the Americans have proven again that they can hold their own with Great Britain, even in modest naval actions like the Battle of Lake Erie.

And, with the death of Tecumseh, they have diminished the threat of a tribal coalition, backed by the British, impeding westward expansion from Ohio to the Mississippi.

Key Events along the Canadian Border: War of 1812

1812	July 12 Americans under Hull cross Detroit River into Canada
	July 17 British capture Ft. Mackinac in Hull’s rear
	Aug 16 Hull surrenders Ft. Detroit without a shot fired
	Oct 13 British win Battle of Queensland Heights, near Niagara Falls
1813	Jan 13 Secretary of War Eustis resigns
	Jan 18-23 Battle of Raisin River (Monroe, MI), US prisoners massacred
	April 27 US captures York (Toronto) and plunders the town
	May 27 Americans capture Ft. George on Lake Ontario
	Sept 10 US Admiral Perry wins Battle of Lake Erie
	Oct 5 WH Harrison wins at Thames, killing Tecumseh
	Dec 19 British fight back, taking Ft. George and Ft. Niagara
1814	July 13 Americans occupy Ft. Erie
	July 25 bloody battle at Lundy’s Lane a stand-off
	Aug 14 British begin siege of Ft. Erie
	Sept 17 British retreat from siege

Time: Summer 1812 – Summer 1813

Britain Routes American Forces Along the Atlantic Coast



A British Redcoat

Britain’s Royal Navy dominates the second theater of war – on the seas off the Atlantic coast – with a blockade that essentially shuts down America’s international commerce, and leads to a secession threat by the New England states.

When hostilities break out, the British have 85 warships already patrolling American waters to enforce their ban on cargoes headed toward Napoleon’s France.

The United States, on the other hand, begins with a fleet of 21 ships, composed of:

- 0 “ships-of-the-line,” the three-masted, multi-decked 74 gunners built for broadside attacks.
- 8 “frigates,” also 3 masts, but lighter and faster with one deck of 28-44 guns.
- 13 smaller escort ships, war sloops, brigs and schooners, with 12-18 guns apiece.

With this limited force, all the Americans can hope to do is occasionally break out of their ports and go after an isolated foe.

And one such opportunity arises early in the war, on August 19, 1812, when the frigate USS Constitution – 44 guns and 456 sailors under Captain Isaac Hull – wins an intense five hour battle with the 38-gunned HMS *Guerriere*, off the coast of Halifax. This victory, the first of five that Constitution will record over British warships, earns the frigate its lasting sobriquet, “Old Ironsides.”

But this British defeat proves an anomaly, and the Royal Navy gradually expands its stranglehold on the east coast sea lanes. By the end of 1812 they have shut down American shipping from the Chesapeake Bay, marking the Virginia coast, through South Carolina.

In April 1814, they extend their tight blockade north into New England, which further stirs opposition to Madison’s conduct of the war in Massachusetts and Connecticut.

Both states have refused to place their militia under the federal War Department, and, in turn, Madison has denied them federal funding support for their own defense.

This further prompts the question: is the government effectively protecting the nation?

In August 1814, both the New Englanders and the entire nation are reminded of the mortal danger posed at any moment by the powerful British navy.

By this time, the war against France has turned and Britain is able to free up more land troops to fight the Americans. One of these is the Dublin born Major General, Robert Ross, who has fought valiantly alongside Wellington, and is now given command over all army troops.

Along with his naval counterpart, 3-star Vice Admiral George Cockburn, Ross plans a two-pronged assault aimed at his opponent's heart.


The plan involves a naval flotilla consisting of 4 ships-of-the-line and 20 more frigates and war sloops, under Admiral Alexander Cochrane, along with transport boats to carry Ross and his 4,400 men, mostly veteran Royal Marines to land.

On August 19, Ross disembarks at Benedict, Md. and begins marching northwest toward the town of Bladensburg, about 10 miles above Washington, on the east branch of the Potomac River. Once there they encounter an American force consisting of 6500 Maryland militia and 400 U.S. Regulars under Brigadier General William Winder.

The August 24, 1813 Battle of Bladensburg proves to be one of the greatest routs in American military history. Winder has aligned his troops poorly and they are decisively thrashed by Ross. Lacking any pre-planned line of retreat, the U.S. forces turn tail and make a dash for Washington, DC, 10 miles to the southwest. This flight, which includes both President Madison and Secretary of State Monroe, is immortalized as "The Bladensburg Races" in a satiric British poem in 1816.

*Away went Madison, away Monroe went at his heels,
And all the while his laboring back, a merry thumping feels.*

Chapter 49. James Madison Succeeds Jefferson as President (1808)

 <p>James Madison (1751-1836)</p>	<p>Sections</p> <ul style="list-style-type: none"> • Run-up to the Election of 1808 • Madison Wins the Presidency • The Federalists Make Some Gains in Congress • President James Madison: Personal Profile • Overview of Madison's First Term 	<p>Macro-Themes</p> <p>Election</p> <ul style="list-style-type: none"> - Of 1808 - Some Federalist Gains in Congress <p>President</p> <ul style="list-style-type: none"> - James Madison <p>International</p> <ul style="list-style-type: none"> - Britain Steps Up Naval Violations <p>War</p> <ul style="list-style-type: none"> - US War Of 1812 Vs. Britain - Early Losses in Canada - Tippecanoe Victory Over Indians - Napoleon Stalls Before Moscow <p>Land</p> <ul style="list-style-type: none"> - Indian Cessions - Annexation of West Florida <p>Tycoons</p> <ul style="list-style-type: none"> - John Jacob Astor - Cornelius Vanderbilt
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Time: Fall of 1808

Run-up to the Election of 1808

As the 1808 presidential election approaches, the path to the nomination is open for James Madison.

At 57 years old, Madison is eight years younger than Jefferson, who has named him Secretary of State and groomed him for the top job. He has been at the center of American politics since the 1787 Constitutional Convention, and is widely credited with being its principle author.

Along with Jefferson, he has guided the Democratic-Republicans to national dominance.

Within the party, only the hardest line Anti-Federalists retain any reservations about his credentials. This faction is led by John Randolph of Roanoke, George Clinton, Patrick Henry and James Monroe, states-rights conservatives who feel that Jefferson and Madison have concentrated too much power in federal hands.

Clinton is Jefferson's sitting Vice-President, and a dominant force in New York politics, having served as Governor for 21 years before joining Jefferson's cabinet. He has run twice before for the presidency, in 1788 and in 1792, where he records 50 electoral votes against Washington. But he is now 69 years old and his time has passed.

Monroe has also criticized Madison for initially arguing against including a Bill of Rights in the Constitution, rejecting term limits, and supporting a standing army. But he has already run two losing races against him for a seat in the U.S. House from Virginia.

When the various state caucuses convene and vote, Madison is nominated 83-3, with Clinton selected once again for Vice-President.

Meanwhile, the Federalist Party continues in near total disarray. After Washington’s death in 1799, Adams’s defeat in 1800, and Hamilton’s fatal wounding in 1804, no one has been able to step in and mount a national campaign. The result is a party now largely confined to its original roots in New England.

The hub lies in Boston, led by George Cabot, Harrison Otis and Timothy Pickering, Adams’s intensely pro-British Secretary of State. Pickering describes the extent of the Federalist disorder as follows:

The Federalists here are in point of numbers so utterly impotent, and the (Republicans) govern in nearly all the states with such an overwhelming majority; nothing would be more remote from their contemplation than to set up candidates of their own for President and Vice-President.

In search of an election plan, Federalists from eight states gather in New York in August 1808 for what is often considered the first attempt at a national political convention. Attendance is sparse and the meetings are held in secret. Consideration is given to actually backing the Republican, George Clinton, who is rumored to favor a repeal of Jefferson’s Embargo Act. But the majority feel this would further erode “party identity.”

Instead they fall back to the same ticket so soundly defeated by Jefferson in 1804 – former Revolutionary War General Charles C. Pinckney of South Carolina, and Rufus King of New York.

Time: November-December 1808

Madison Wins the Presidency

Voting takes place between November 4 and December 7, 1808, with the Federalists hoping public sentiment against the year-old Embargo Act will swing the outcome their way.

But Madison beats them 2:1 in the popular vote and by a comfortable margin in the electoral college. Six electors from New York honor their “favorite son,” Clinton, by writing him in on their presidential ballots, despite his lack of public support.

Results of the 1808 Presidential Election

Candidates	State	Party	Pop Vote	Tot EV	South	Border	North	West
James Madison	Va	Democratic-Rep	124,732	122	56	16	47	3
Charles C. Pinckney	SC	Federalist	62,431	47	3	5	39	
George Clinton	NY	Democratic-Rep	---	6			6	
James Monroe	Va	Democratic-Rep	4,848	0				
Unpledged			680	0				
Total			192,691	175	59	21	92	3
Needed to win				88				

Note: South (Virginia, NC, SC, Georgia), Border (Delaware, Maryland, Ky), North (NH, Mass, NY, NJ, Penn, RI, Conn,Vt), West (Ohio)

Still the Federalist do make some inroads. Madison's electoral count is 40 votes shy of Jefferson's total in 1804.

Change in Electoral Votes: 1808 vs. 1804

Year	Candidates	Party	Electoral Votes
1804	Thomas Jefferson	Democratic-Republican	162
1808	James Madison	Democratic-Republican	122

And three New England states – Massachusetts, New Hampshire and Rhode Island – are carried by General Pinckney.

Party Power by State

South	1804	1808	Pick Ups
Virginia	Dem-Republican	Dem-Republican	
North Carolina	Dem-Republican	Split	
South Carolina	Dem-Republican	Dem-Republican	
Georgia	Dem-Republican	Dem-Republican	
Tennessee	Dem-Republican	Dem-Republican	
Border			
Delaware	Federalist	Federalist	
Maryland	Dem-Republican	Split	
Kentucky	Dem-Republican	Dem-Republican	
North			
New Hampshire	Dem-Republican	Federalist	Federalist
Vermont	Dem-Republican	Dem-Republican	
Massachusetts	Dem-Republican	Federalist	Federalist
Rhode Island	Dem-Republican	Federalist	Federalist
Connecticut	Federalist	Federalist	
New York	Dem-Republican	Split	
New Jersey	Dem-Republican	Dem-Republican	
Pennsylvania	Dem-Republican	Dem-Republican	
West			
Ohio	Dem-Republican	Dem-Republican	

In the Vice-Presidential race, George Clinton beats King handily, and will now serve under Madison as he has under Jefferson.

1808 Electoral College Vote for VP

Candidate	Party	Votes
George Clinton	Dem-Rep	113
Rufus King	Federalist	47
John Langdon	Dem-Rep	9
James Madison	Dem-Rep	3
James Monroe	Dem-Rep	3
Total		175

Time: November-December 1808
The Federalists Make Some Gains in Congress

In the House, the Federalists pick up 23 seats, while still trailing well behind the Republicans.

Election Trends – House of Representatives

Party	1801	1803	1805	1807	1809	Change
Democratic-Republicans	68	102	114	116	93	(23)
Federalist	38	40	28	26	49	+23
Congress #	7 th	8 th	9 th	10 th	11 th	
President	TJ	TJ	TJ	TJ	JM	

Most of the Federalist gains are in the North, again reflecting anger over the effects of the Embargo.

House Trends By Region

Democratic-Republican	Total	South	Border	North	West
1801	68	30	7	31	
1803	102	42	13	46	1
1805	114	48	13	52	1
1807	116	47	12	56	1
1809	93	41	12	39	1
Change Vs. '06	(23)	(6)	NC	(17)	NC
Federalists					
1801	38	8	4	26	
1803	40	7	3	30	
1805	28	1	3	24	
1807	26	2	4	20	
1809	49	8	4	37	
Change Vs. '06	+23	+6	NC	+17	

The make-up of the Senate is largely unchanged from the prior three session.

Election Trends – Senate

Party	1801	1803	1805	1807	1809	Change
Democratic-Republicans	17	25	27	28	27	(1)
Federalist	15	9	7	6	7	+1
Congress #	7 th	8 th	9 th	10 th	11 th	
President	TJ	TJ	TJ	TJ	JM	

Senate Trends By Region

Democratic-Republican	Total	South	Border	North	West
1800	17	10	3	4	
1802	25	10	4	9	2
1804	27	10	4	11	2
1806	28	10	4	12	2
1808	27	10	4	11	2
Change					
Federalists					
1800	15	0	3	12	
1802	9	0	2	7	
1804	7	0	2	5	
1806	6	0	2	4	
1808	7	0	2	5	
Change					

Time: 1751 to 1836

President James Madison: Personal Profile



James Madison (1751-1836)

None other than Thomas Jefferson will refer to James Madison as “the greatest man in the world.” The two will know each other over a fifty year span, and will combine their remarkable intellects and prose writing skills to capture the spirit and structures of America’s new government.

James Madison, Jr., is born on March 16, 1751, the first of his parent’s twelve children.

Like Jefferson, he grows up amidst privilege, on the 4,500 acre Mount Pleasant plantation, some 30 miles to the northeast of Monticello. The land is located in the Piedmont (or “foothills”) region of Virginia, just east of the Appalachians. Madison will later rename the plantation Montpelier, “mount of the pilgrims,” after a famous French resort.

“Young Jemmy” is slight of stature and drawn early on to the life of the mind. His curiosity is fed by a series of outstanding academic tutors who emphasize a combination of classical studies and the Scottish Presbyterian values of Calvinism.

Between the ages of eleven and sixteen he resides at the Robertson School, an institution set up to provide the children of elite families a European-style education. The headmaster of the school is Donald Robertson, a University of Edinburgh graduate, who recognizes and nurtures Madison’s intellectual capacities. Many years later, Madison will say of him:

All that I have been in life I owe largely to that man.

After returning home in 1767 he studies under Reverend Thomas Martin, who encourages him to attend his alma mater, the College of New Jersey, also a Calvinist dominated institution. Madison completes a four year curriculum there in two years, overseen throughout by Reverend Thomas Witherspoon, president of the college. Witherspoon's track record for turning out government leaders is remarkable, and includes some ten Cabinet officers, three Supreme Court Justices, 28 U.S. Senators and 49 House members, in addition to Madison and Aaron Burr.

Upon graduation in 1771, Madison is able to read six languages, including Greek, Latin and Hebrew, has engaged in political debate as a member of the Whig Society, and is left pondering a career either in law or the clergy. Despite his obvious talents, Madison tends to be shy and bookish by nature, and it is his friends who push him forward at this early stage of life. .

He is back home in Virginia when conflict heats up between the colonists and the Crown. At 5'4" tall and weighing under 100 pounds, he is too physically frail to join the military, so he signs on to the Orange County Committee For Safety and begins to draft a constitution for the state. He is also too young and unknown to attend the Declaration of Independence congress of 1776, but engages heavily in Virginia state politics.

His lifelong linkage to Thomas Jefferson develops at this time, when he helps draft the landmark Virginia Statute For Religious Freedom in 1777:

Be it enacted by General Assembly that no man shall be compelled to frequent or support any religious worship, place, or ministry whatsoever, nor shall be enforced, restrained, molested, or burthened in his body or goods, nor shall otherwise suffer on account of his religious opinions or belief, but that all men shall be free to profess, and by argument to maintain, their opinions in matters of Religion, and that the same shall in no wise diminish, enlarge or affect their civil capacities.

In 1780, with the outcome of the Revolutionary War still in doubt, he becomes visible at the national level as the youngest-ever delegate to the Second Continental Congress. He is 36 years old in the summer of 1787 as the Constitutional Convention assembles in Philadelphia. His role here proves pivotal to founding the Union.

As unofficial Secretary he sits at the front of the hall and is accountable for listening to and capturing the key issues, and working behind the scenes to iron them out. The "Virginia Plan" he has drafted for Governor Randolph introduces the basic "three branches of government" structure that will prevail in the end. He engages in many of the floor debates, and pushes the delegation to closure, despite strong anti-Federalist sentiments, often centered in his own Virginia delegation. Then he overcomes his personal opposition to including a Bill of Right, drafts the initial twelve Amendments, along with 26 of The Federalist Papers, that lead on to ratification.

The Constitution captures Madison's most lasting and profound insights about the minds and behaviors of men in relation to civil power.

It reflects his roots as a Presbyterian Calvinist – left to their natural instincts (or "passions"), the capacity for self-interest or even evil-doing among men is great. Thus a "pure democracy" is doomed to failure. The best alternative is a republic, comprising men most capable of placing the common interest above their own. But even this will prove insufficient, according to Madison. For "government of the people" to work, power given any one man or body must be kept in check by off-setting power in the hands of others. Only by insuring that there is consensus between the Legislature, Executive and Judiciary branches will the people be well served.

Madison's tireless achievements at the 1787 Convention are obvious to all attendees, across Federalists like Washington, Adams, and Hamilton, and the state-centric opposition. From this time on he is widely seen as having the right stuff to someday be president. The College of New Jersey recognizes his work with a Doctor of Laws honoris causa, and with Witherspoon citing him to all alumnae as:

One of their own sons who had done them so much honor by his public service.

In 1794, Madison is 43 years old and in the third of his four terms in the U.S House, when he marries Dolley Todd, a 26 year old widow, introduced to him by Aaron Burr. Her outgoing nature complements his reserve, and she will manage social affairs in Washington for both the bachelor Jefferson and her husband.

Philosophically Madison exhibits a host of Federalist-leaning tendencies early on. He favors a republic over a pure democracy; federal laws trumping state laws; a strong Executive with veto powers and no term limits; creation of a standing army; initial opposition to a bill of rights; a national government with sufficient power to unify all factions as needed.

But his center of gravity shifts as he observes the Federalists in action. He concludes that Alexander Hamilton, his colleague in writing The Federalist Papers, has co-opted Washington's government and is running it akin to a British monarchy. He becomes so obsessed by Hamilton's activity that he secretly drafts a resolution which he encourages Virginia's William Giles to introduce in the House:

Resolved: That the Secretary of the Treasury has been guilty of maladministration in the duties of his Office, and should, in the opinion of Congress, be removed from his office by the President.

Madison continues to see Hamilton's evil hand manipulating John Adams's term in measures like the Alien and Sedition Acts of 1798 – at which point he throws himself into building the opposition Democratic-Republican Party. His goal remains a “national government,” but one refusing to run roughshod over those standing in opposition to the will of the Executive branch. Jefferson later comments on his dedication to this cause:

I do not know in the world a man of purer integrity, more dispassionate, disinterested, and devoted to genuine Republicanism; nor could I in the whole scope of America and Europe point out an abler head.'

After Jefferson's victory in 1800, he becomes Secretary of State for eight years, despite the fact that he never travels abroad in his lifetime. His time is spent in the middle of the conflict between Napoleon and the British, as both nations interfere with American shipping and commerce on the high seas.

Like Jefferson, Madison tilts toward the French. When offered “honorary citizenship” in France after its revolution, he accepts, unlike Washington and Hamilton. He participates in the 1803 Louisiana Purchase and convinces Jefferson that the 1807 Embargo Act will utilize American commerce to help end Europe's war.

In 1808 he is seen by all as the logical choice to succeed Jefferson, who endorses him enthusiastically.

By nature, however, Madison is more the exceptional legislator than the decisive executive.

Aside from Albert Gallatin, his cabinet is weak. At times he is easily deceived diplomatically both by Britain and by Napoleon, and he fails to prepare the nation militarily for what his critics call “Mr. Madison's War of 1812.” But while being forced to watch the British occupy the capital of Washington, he finally rallies the resistance and emerges with a victory in 1815.

One year later he departs the capital, never to visit again. He still has two decades to live, and focuses this time on Montpelier and on a series of final causes.

Financial difficulties plague this period, mainly related to members of Dolley's family who pile up crippling debts, then look to her to bail them out. The main villain in this group is her son, Payne Todd, whom Madison has adopted. The ex-President hopes to turn operations of his tobacco plantation over to Todd, but the young man proves to be a lifelong ne'er do well, drinking, gambling, fighting, and being sentenced to debtor's prison.

Madison hopes that the sale of his notes from the 1787 Convention will provide a windfall profit, and he and Dolley work together to organize them. She will eventually sell them to Congress in 1837 for \$30,000, and they will be published in 1840.

Aside from the work on his papers, the aging Madison helps Jefferson found the University of Virginia, and serves as its second president from 1826 to 1836. He also helps rewrite Virginia's state constitution in 1829.

Like Jefferson, he is troubled by the concept of slavery, while still regarding blacks as inferior to white men, denying their freedom, utilizing their labor to run his tobacco plantation, and, as he says, "selling off another Negro" as need be. He wishes that slavery would end in America, but cannot conceive of social assimilation. As he tells Lafayette in 1826:

The two races cannot co-exist, both being free & equal. The great sine qua non therefore is some external asylum for the colored race.


The only answer lies in buying their freedom and returning them to Africa. With this outcome in mind, he lends his support to the American Colonization Society in 1817.

Over the years, Madison owns some 300 slaves, most typically around 100 at any time. In 1834 and 1835 he sells roughly a quarter of them to cover mounting debts. He ponders freeing the rest at his death, but decides that Dolley's financial well-being prohibits manumission.

The "father of the U.S. Constitution" dies at age 85 years on June 28, 1836; just six days shy of the 60th anniversary of the Declaration of Independence.

Dolley Madison is forced to sell Montpelier in 1844 to relieve family debts, and moves back to Washington. In 1844 she is honored with a permanent visitor's seat on the floor of the U.S. House of Representatives, before her death in 1849.

Chapter 50. Relations with Britain Reach a Breaking Point (1809-1811)

 <p style="text-align: center;">A British Soldier</p>	<p>Sections</p> <ul style="list-style-type: none"> • Madison is Twice Manipulated over his Trading Policy • Naval Battles Amplify War Fever • Harrison Defeats Tecumseh at the Battle of Tippecanoe • Congress Declares War on Britain • The Federalist Daniel Webster Attacks Madison’s Decision and Preparedness • The War in Western Canada Begins Badly 	<p>Macro-Themes</p> <p>War</p> <ul style="list-style-type: none"> - British Seizure of US Ships and Sailors - French Manipulation of Madison - Battle of Tippecanoe - War of 1812 - US Lack of Preparation for War - Opening Defeats Along Canadian Border <p>Politics</p> <ul style="list-style-type: none"> - The Warhawks Urge War - Resistance from NE and Daniel Webster
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Time: March 1809 to September 1811

Madison is Twice Manipulated over his Trading Policy

Madison comes into office still believing that access to trade with America will be enough of a bargaining chip to stop British and French interference with U.S. ships and sailors.

The Non-Intercourse Act of March 1, 1809, he inherits bans trade with both combatants – but also opens the door to resumption, should either nation declare its intent to end future aggression.

Over the next year, both will manipulate Madison and his diplomats into believing they are complying with America’s wishes.

The British take this tack immediately. On April 19, 1809, the British minister, David Erskine, tells Secretary of State Robert Smith that the Crown will no longer interfere with American ships at sea. Madison takes this at face value, and re-opens American trade with Britain.

On August 9, however, he learns that Erskine’s assurance to Smith was not “official” British policy, and so he reinstates the Non-Intercourse ban.

Ten months later, Napoleon steps up the heat on America in his March 23, 1810, Rambouillet Decree, saying that France will seize and sell all American ships it encounters.

The next move belongs to Madison. On May 1, 1810, he seeks reconciliation with both nations in passage of the so-called “Macon’s Number 2 Bill,” named after its sponsor, Nathaniel Macon, a House member from North Carolina.

This bill seeks a return to normalcy, re-opening trade with both France and Britain.

But with one caveat. Madison still wants public confirmation that interference with American ships has been “officially prohibited” – and he offers a “carrot” aimed at getting his way. Should either Britain or France openly announce a favorable change in policy, American will resume the trade embargo on its opponent.

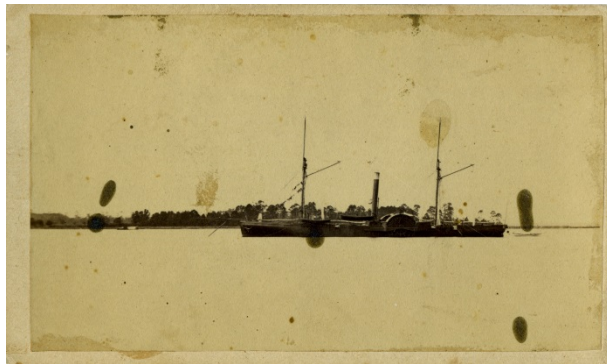
Now it is Napoleon’s turn to manipulate Madison. On August 5, 1810, he instructs his foreign minister to tell the Americans that he will renounce future interference with shipping, if they will cut off trade with Britain. At the same time, he secretly orders the seizure of all American ships now in French harbors.

Madison naively takes Napoleon at his word, and, when three months pass without a corresponding message from Britain, he declares on November 2 that shipping to England will end, effective on March 2, 1811.

This enrages the British, who announce plans to step up their impressment activities and even blockade the port of New York.

Time: May 1-16, 1811

Naval Battles Amplify War Fever



An American Warship

Two back-to-back naval clashes now increase tensions with Britain.

The first occurs in New York Bay, south of lower Manhattan.

On May 1, 1811, the frigate *HMS Guerriere*, with its 38 cannon and crew of 350 men, comes upon the *USS Spitfire*, a sloop sporting three guns and some 20 sailors, off Sandy Hook, New Jersey. The *Spitfire* is stopped and boarded, and an American-born seaman, sailing master John Diggio, is impressed.

The second incident, on May 16, involves bloodshed.

The American navy now has its guard up as the frigate *USS President* encounters what it erroneously believes to be *HMS Guerriere* off the coast of North Carolina. An exchange of fire follows, with the two sides disagreeing on who shot first. The British ship – which turns out to be the 18 gun sloop, *HMS Little Belt* – suffers 11 killed and 21 wounded in the battle.

Relations with Britain will never recover from these incidents.

Both occur at a time when U.S. Ambassador William Pinkney has already departed for a visit home, leaving a void in diplomatic relations in London.

At the same time, Napoleon continues to have his diplomats reassure a new U.S. Ambassador to France, Joel Barlow, about his peaceful intentions toward America

Time: November 7, 1811

Harrison Defeats Tecumseh at the Battle of Tippecanoe



The Attack on Harrison's Camp West of Prophetstown

In addition to the confrontations at sea, suspicions grow that British Canadians are building alliances with native tribes along the northern border to impede westward settlements.

Going all the way back to 1794, the burden for handling Indian affairs in the Northwest Territory has fallen on the shoulders of William Henry Harrison, son of the former Virginia Governor, Benjamin Harrison V.

His army career includes numerous battles on the frontier, and involvement in a series of negotiations leading to cession of tribal lands to the United States.

In 1799, at age 26, he is elected to represent the Northwest Territory in the 7th U.S. Congress. His friend, Secretary of War, Thomas Pickering encourages John Adams to name him Governor of the Indiana Territory in 1801. Jefferson keeps him on because he seems willing to help the tribes learn agriculture and to become assimilated peacefully. Over time his negotiations over leads to adding millions of acres from Ohio to Wisconsin.

Some of the Indian Land Cessions Negotiated by William Henry Harrison

Year	Treaty of:	Main Tribes	Land Ceded to U.S.
1795	Greenville	10 tribes together	16.9 million acres, Ohio + strip west to Chicago
1804	Vincennes	Miami and Shawnee	1.6 million acres in central Indiana
	St. Louis	Fox and Sauk	5.0 million acres in Wisconsin
1809	Ft Wayne	Delaware and Miami	3.0 million in eastern and western Indiana

Of course the very notion of “owning land” remains foreign to the Indians – and resistance to these cessions builds as white settlers begin their occupation. In the Great Lakes region, it is the Shawnee Tribe that fights back most aggressively. They are led by the charismatic shaman, Tenskwatawa, called The Prophet, and his older brother, Tecumseh.

In July 1811, they organize a confederation of tribes intent on driving the white men out and restoring the Indian traditions and way of life. In turn, they tell Harrison that the Ft. Wayne cession is invalid, and that they intend to fight for the land.

They also signal that their cause is supported by British allies in Canada.

To prepare for battle, Tecumseh gathers some 5,000 warriors on Miami land in Indiana, near the confluence of the Tippecanoe (“buffalo fish”) and Wabash Rivers. This site is called “Prophetstown” by Harrison, and he sets out with a force of 1,000 troops to conquer it, in September 1811.

On November 6, 1811, he encounter a tribal delegation near Prophetstown under a flag of truce. At the time, their Chief Tecumseh is in the southwest, attempting to recruit more support from the Cherokees. The two sides agree to meet again the next day.

Instead, at 4AM on November 7, the Indians initiate a surprise attack on Harrison’s camp, huddled just east of Burnett Creek. The battle rages for two hours, with the American falling back initially, and suffering heavy casualties. But Tecumseh is absent and Tenskwatawa is more the religious leader than the warrior. So Harrison rallies his troops, breaks out of his initial trap and eventually burns Prophetstown to the ground.

This victory at Tippecanoe will insure national fame for William Henry Harrison as a frontiersman who has successfully defeated both the hostile tribes and their British allies.

The truth is much more modest than the legend. Actual losses for each side total only 100 fighters, and the outcome does little to divert Tecumseh and his band from continuing to attack white settlers in the region.

Another two years will pass before Tecumseh’s confederation is finally subdued for good, at the Battle of the Thames, Harrison’s true landmark victory.

Time: June 4, 1812

Congress Declares War on Britain

Tensions with Britain continue to build after the two naval encounters in May and the Tippecanoe battle in November, 1811.

At this point Madison is being carried along by calls for war with Britain emanating from the public, the politicians and his generals.

His new Secretary of State, James Monroe – appointed April 2, 1811, after Robert Smith is ousted – is a former front line officer and combatant in the Revolutionary War, and ready to take on the British again.

He is joined by two new members of the House, Henry Clay and John C. Calhoun, who together rally a faction in Congress known as the “Warhawks.”

If Britain is not only threatening U.S. shipping, but also encouraging Indian resistance, then America surely needs to respond with force.

As always, when conflict with Britain arises, special attention is focused on Canada.

Many see the continued presence of the British along the northern border as “unfinished business” from the Revolutionary War. They inhibit the growth of America’s fur trading industry, provoke tribal resistance on the frontier, and present an invasion threat by garrisoning troops across forts along the border.

This threat becomes even more real throughout the winter and spring of 1812 by importation of British regulars and stepped-up recruiting of local militia across Canada.

On April 10, 1812, Congress also give Madison authority to call up to 100,000 troops from state militias, should the need arise.

American and British diplomats attempt to search for peaceful ways out, but the sticking issue always comes back to impressments. Britain says that it must continue to retrieve its nationals serving on American ships in order to win its naval battles with the French. As much as Madison wants to believe that American commerce is worth more than impressed sailors, this is never the case with the British.

By now, public opinion has swung almost entirely away from the one policy espoused by every president from Washington through Madison – that of maintaining “neutrality in foreign conflicts” and avoiding the non-productive costs associated with war. As Jefferson put it in his first inaugural:

War (is) but a suspension of useful works, and a return to a state of peace, a return to the progress of improvement

The only remaining opposition to war lies with the New England merchants, who regard the prospect as even more fatal to their business prospects than the Jefferson-Madison embargos.

Finally the time for compromise runs out. On June 1, 1812, acting in accord with the Constitution, Madison goes to Congress and asks them to declare war against Britain. His principal reasons why include: ongoing impressment of seamen; blockades against American shipping; confiscation of ships; and incitement of the Indian tribes in the Northwest territories.

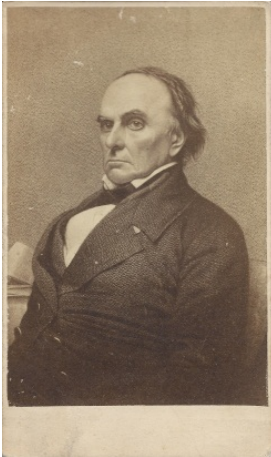
The actual voting, however, is hardly unanimous. The House supports the war measure by 78-45; the Senate is much closer, with passage by only 18-13. The outcome is determined on June 4 along party lines – with no Federalists supporting the President.

Conjecture remains about exactly why the Democratic-Republicans – so viscerally anti-war by nature – come around in favor of taking on the powerful British once again. Perhaps the most likely explanation lies in the lingering wish to remove Britain from Canada once and for all. This and a belief that an inland war could be won easily and quickly, while America’s navy was now strong enough to hold its own against the British fleet, in battles close to home.

The War of 1812 is about to begin.

Time: July 4, 1812

The Federalist Daniel Webster Attacks Madison's Decision and Preparedness



Daniel Webster

New England looks for a powerful spokesperson against the war, and they find one in the Federalist, Daniel Webster, a 30 year old lawyer from New Hampshire, who is on his way to becoming a major political figure in Washington over the next four decades.

On July 4, 1812, in a speech to the Washington Benevolent Society, Webster assails the President for leaping blindly into a very dangerous war the nation is ill prepared to fight.

In what will become his usual dramatic fashion, the speech begins by citing the seriousness of the hour, the wisdom of Washington in regard to avoiding warfare, and the woeful lack of preparation for battle.

In an hour big with events of no ordinary impact we meet. We come to take counsel of the dead...to listen to the dictates of departed wisdom. We are in open war with the greatest maritime power on earth. This is a condition not to be trifled with.

Washington embraced competent measures of defence, yet it was his purpose to avoid war. Would to God that the spirit of his administration might actuate this government.

With respect to the war, resistance and insurrection can form no part of our creed. The disciples of Washington are neither tyrants in power, nor rebels without. We are yet at liberty to lament the commencement of the present contest.

We believe that the war is premature and inexpedient. Our shores are unprotected; our towns exposed. It exceeds belief that a nation thus circumstanced should be plunged into sudden war.

He cites the damage to the US economy likely to follow from the conflict.

The voice of the whole mercantile interest is united against the war. We believe that it will endanger our rights, prejudice our best interests.

Also that, in opposing Britain, America would be strengthening Napoleon's forces, which might soon be redirected against America.

Nor can we shut our eyes to the prospect of a French alliance. That we should make common cause and assist her to subdue her adversary and to extend her chains and despotism over the civilized world seems to be a dreadful departure from true wisdom and honest politics. French brotherhood is an idea big with horror and abomination. What people hath come within the grasp of her power and not been ground to powder?

He closes by calling upon the sons of new England to stand up against support for war and for France.

But if it be in the righteous counsel of heaven to bury New England, her religion, her governments, and her laws under the tyranny of foreign despotism, there are those among her sons who will never see that moment.

They cannot perish better than standing between their country and the embrace of a ferocious tyranny. At the appointed hour, they shall, for the last time, behold the light of the sun not with the eyes of slaves or as subjects of an imperious despotism.

Indeed, time will show that while Madison believes an easy victory will follow, he has failed woefully to prepare a military force sufficient to carry the day.

The U.S. Army numbers only 12,000 Regulars; so much of the fighting will depend on often poorly trained state militias. The U.S. has the largest “neutral” fleet in the world, but it will be no match for the Royal Navy. And since Congress has shut down the US Bank, his access to funding the war is constrained.

Fortunately for Madison, the British are similarly ill-equipped to fight.

In June 1812 the bulk of their ground forces are attacking the French in Spain, under the future Duke of Wellington. Only 6,000 red coats have been left behind in North America to defend various Canadian forts. Likewise the British navy has its hands full trying to enforce the blockade of cargoes flowing into France.

Time: July 12 – August 16, 1812

The War in Western Canada Begins Badly



The War of 1812 Begins Along the Canadian Border

As in 1775, as this war with Britain begins, America assumes that a quick strike into Canada will succeed, and perhaps even cause the British to back away from further fighting. As Jefferson says:

The acquisition of Canada this year will be a mere matter of marching.

So the battle begins, with the opening gambits along the western edge of Lake Erie and north into Lake Huron.

Things immediately go badly for the US forces.

On July 17 a contingent of 200-300 British and Indian warriors land on Mackinac Island and surprise Lt. Porter Hanks and the American troops garrisoned at Ft. Michilimackinac – who surrender post haste on the belief that they are badly outnumbered. Soon after two U.S. sloops are also taken when they come into port believing that the fort is still in friendly hands. Porter is subsequently court marshalled for cowardice, but is killed by a British shell while still under arrest.

Command of the “Army of the Northwest” lies with Brigadier General William Hull, a Revolutionary War veteran praised by Washington, and presently Governor of the Michigan Territory. But Hull is 59 years old, and has tried, unsuccessfully, to avoid the “offer” from Secretary of War Eustis to return to combat.

When Hull learns of the Mackinac Island debacle, he fears that Ft. Dearborn in Chicago may also be attacked and overrun. He orders the immediate evacuation of the fort. On August 15, some 66 soldiers and 27 women and children evacuate under a flag of truce, only to be set upon by Potawatomi warriors who kill over half of the Americans and capture the rest.

While these two reversals are occurring, General Hull and 2,500 troops are preparing to invade Canada along the western edge of Lake Erie. On July 5, 1812, Hulls sets up camp at Ft. Detroit. One week later he crosses the Detroit River, and issues a proclamation meant to scare his opponents into submission:

INHABITANTS OF CANADA: After thirty years of peace and prosperity, the United States have been driven to arms. The injuries and aggressions, the insults and indignities of Great Britain have once more left no alternative but manly resistance or unconditional submission. The army under my command has invaded your country. The standard of the union now waves over the territory of Canada. To the peaceful and unoffending inhabitants it brings neither danger nor difficulty. I come to find enemies, not to make them; I come to protect not to injure you ... I have a force which will break down all opposition, and that force is but the vanguard of a much greater. If, contrary to your own interest, and the just expectations of my country, you should take part in the approaching contest, you will be considered and treated as enemies, and the horrors and calamities of war will stalk you.

Once on Canadian soils, Hull sends our various probes that encounter resistance from a mixture of British regulars, local militia and various tribesmen, notably Tecumseh.

By August 9, the set-backs convince Hull that he cannot advance into Canada without more troops and cannon, and he retreats back over the river to Ft. Detroit.

By now, however, the British are ready to go on the offensive and chase him. They assemble a force of some 300 Regulars, 400 militia and 600 Indians at the Canadian town of Amherstburg, then head out after Hull and his remaining 2200 men at Detroit.

The red-coat commander, Major General Isaac Brock, decides to bluff Hull into believing he is surrounded by overwhelming opposition. His dispatch to Hull also raises the specter of uncontrollable slaughter waged by his tribal bands:

The force at my disposal authorizes me to require of you the immediate surrender of Fort Detroit. It is far from my intention to join in a war of extermination, but you must be aware, that the numerous body of Indians, who have attached themselves to my troops, will be beyond control the moment the contest commences...

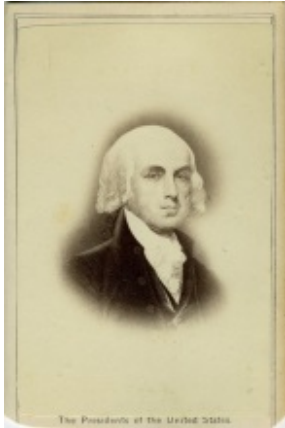
On August 15, Brock fires on the fort, using the few cannon at his disposal, along with support from two Royal Navy sloops on the nearby river. One day later he follows up with demonstrations, led by Indian war whoops intended to spook the Americans.

These succeed immediately. Hull has his daughter and grandchild in the fort, and fears repeat of the slaughter at Ft. Dearborn. He asks Brock for three days to arrange for surrender; Brock gives him three hours.

When news of the capitulation at Detroit reaches Washington, Hull is arrested and his command is handed to William Henry Harrison. A subsequent court martial sentences Hull to death, but his sentence is commuted by Madison, in light of his long service during the Revolution and his advanced age.

All of these setbacks – Mackinac, Ft. Dearborn, Detroit – occur as the two parties pick their candidates for the election of 1812.

Chapter 51. Madison Wins a Second Term by a Narrow Margin (1812)



James Madison (1751-1836)

- Sections**
- Reapportionment Following the 1810 Census
 - The Close Election of 1812

- Macro-Themes**
- Elections
 - Post-1810 Census
 - Reapportionment
 - Election of 1812
 - Short-Term Federalist Revival

Time: 1811
Reapportionment Following the 1810 Census

The voting landscape for the election of 1812 reflects the reapportionment of seats in congress, and hence the electoral college, coming out of population changes in the 1810 Census and new state admissions.

The total population in 1810 is 7.240 million, up 36% from 1800.

U.S. Population (millions)

Year	Total	Whites	Free Blacks	Slaves
1800	5.308	4.306	0.108	0.894
1810	7.240	5.863	0.186	1.191
% Ch	+36%	+36%	+43%	+33%

One new state, Louisiana, joins the Union in April 1812. The nation now includes eighteen states, nine where slave ownership is permitted and nine where it is banned.

America's Eighteen States as of 1812

Region	Slavery	States
South	Yes	Virginia, North Carolina, South Carolina, Georgia, Tennessee, Louisiana
Border	Yes	Maryland, Delaware, Kentucky
North	No	New Hampshire, Massachusetts, New York, New Jersey, Pennsylvania, Rhode Island, Connecticut, Vermont
West	No	Ohio

With each state allotted two senators, the upper chamber totals 36 members.

Apportionment of Senate Seats after the 1800 Census

	Total	South	Border	North	West
1790	26	8	4	14	0
1800	32	10 (Ten)	6 (Ky)	16 (Vt)	0
1810	34	10	6	16	2 (OH)
1812	36	12 (La)	6	16	2

The House allocations are more complicated. As people move from east to west, population shifts vary from state to state, affecting reapportionment. In the House, a total of 7 new seats are added between 1810 (prior to the Census update) and 1812 (after it). The North picks up a few seats; the South loses a few; and the migration of settlers into Kentucky almost doubles Border state representation.

Apportionment of House Seats after the 1800 Census

	Total	South	Border	North	West
1790	65	23	7	35	0
1800	106	38	11	57	0
1810	175	65	11	92	7
1812	182	58	21	97	6

In turn, the add-up of senate seats (36) and house seats (182) yields a total of 218 votes in the electoral college for the 1812 presidential race, assuming all delegates cast ballots. The nine non-slave states account for 121 or 56% of the total.

Apportionment of House Seats after the 1800 Census

	Total	South	Border	North	West
1812	218	70	27	113	8

Time: 1812

The Close Election of 1812

With the war starting badly for America, the Federalists hope to throw Madison out of office.

This possibility has been gaining credibility as cracks appear in the Democratic-Republican party over the failure to resolve tensions with France and Britain. When the initial Congressional Caucus meets in May, 1812, only 86 of the party’s 134 House and Senate members participate, although they do nominate Madison. The question then turns to choosing a Vice-Presidential candidate to replace George Clinton who has recently died in office. Many favor his nephew, DeWitt Clinton, currently serving his third term as Mayor of New York city. But Clinton fails to jump at the chance, and the Republicans end up choosing Elbridge Gerry former Governor of Massachusetts, recently famous for redrawing district voting boundaries in his state (“gerrymandering”).

Soon enough it becomes clear why DeWitt Clinton has passed up the Republican nomination – when the Federalists slate him at the top of their ticket. He is 43 years old, a former U.S. Senator, and master of New York politics. In 1812 he has already begun to lobby for a project that will forever be associated with his name – construction of the 325 mile Erie Canal, linking inland Albany with the port at Buffalo.

As expected, the campaign revolves around the embargos and the war, with the Republicans defending the record and the Federalists attacking. In the North, Clinton focuses on the economic damage caused by Madison’s trade policies; in the South, he assails the President for mishandling the war effort.

After General Hull’s embarrassing losses in the west, it is only a few successes by the U.S. navy in the fall that restore some public faith in Madison, prior to the election.

The Federalist’s strategy almost succeeds. Clinton wins 49% of the popular vote, along with 89 of the total 217 electoral ballots cast. Madison dominates the South and gets a crucial win up North in Pennsylvania, to insure a second term.

Results of the 1812 Presidential Election

1812	Party	Pop Vote	Electors	South	Border	North	West
James Madison	Dem-Rep	140,431	128	70	18	33	7
DeWitt Clinton	Federalist	132,781	89	0	9	80	0
Rufus King	Federalist	5,574	0	0	0	0	0
		278,786	217	70	27	113	7
Needed To Win			109				

Note: South (Virginia, NC, SC, Georgia, TN, La), Border (Delaware, Maryland, Ky), North (NH, Mass, NY, NJ, Penn, RI, Conn, Vt), West (Ohio) Total # electors = 217; must get more than half to win = 109.

Control over both chambers of Congress remain with the President, although Federalists do strengthen their hand in the House.

Congressional Election of 1812

House	1811	1813	Chg
Democratic-Republicans	107	114	7
Federalist	36	68	32
Senate			
Democratic-Republicans	30	28	(2)
Federalist	6	8	2
President	Mad	Mad	
Congress #	12 th	13 th	

The congressional elections of 1810 and 1812 mark a “changing of the guard” in political leadership at the national level.

Three men in particular stand out here: Henry Clay of Kentucky and John C. Calhoun of South Carolina, who join the House in 1811, and Daniel Webster of Massachusetts who enters in 1813.

Together they will shape and debate key issues affecting the future of America over the next four decades – all the while chasing after, but never quite attaining, the presidency.

Key Events: Madison's Second Term: March 4, 1813 to March 4, 1817

1813	
March 11	Tsar Alexander offers to negotiate peace, but Britain rejects the overture
April 27	Americans capture and burn Canadian capital of York on Lake Ontario
Aug 30	Opening of Creek War provokes Andrew Jackson to call up Tennessee militia
Sept 10	Captain Oliver Hazard Perry wins major naval battle at Ft. Erie
Sept 18	British evacuate Ft. Detroit after Perry controls Lake Erie
Oct 5	Harrison defeats fleeing British at Battle of Thames; Tecumseh killed.
Nov 4	British PM Castlereagh suggests negotiations; Madison picks JQ Adams and Clay to lead.
Nov 16	Blockade of American ports along Atlantic coast extended and intensified
Dec 18	Ft. Niagara falls to British forces
1814	
Jan 27	Congress agrees to calling up a 62,000 man army, after Madison asks for 100,000.
Feb 9	Treasury Secretary steps down to travel to England for peace negotiations
Mar 27	General Andrew Jackson ends Creek War with victory at Horseshoe Bend
Mar 31	Madison recommends repeal of the Embargo and Non-Importation Acts
April 6	Napoleon is overthrown in France, freeing British forces to fight in America
July 3	General Jacob Brown's forces move north to take Ft. Erie from the British
July 5	An American victory at Chippewa slows the British advance south to re-take Ft. Erie
July 22	Harrison's Treaty of Grenville ends war with the dead Tecumseh's confederation
July 25	Britain's move toward Ft. Erie is delayed in the war's bloodiest battle at Lundy's Lane
August 8	Direct peace negotiations begin in northern Belgium at Ghent
Aug 24	In the east, American forces are routed at the Battle of Bladensburg
Aug 25	The British occupy Washington DC and burn parts in return for the earlier sack of York
Aug 27	Madison names James Monroe as interim War Secretary replacing Armstrong
Sept 14	Baltimore withstands attacks by land and sea; Key writes Star Spangled Banner poem
Sept 17	British abandon siege of Ft. Erie, ending war activities in the Canadian theater
Dec 15	Federalists issue secession threat at the Hartford Convention
Dec 24	The Treaty of Ghent officially ends the War of 1812
Year	Francis Lowell opens first U.S. textile mills, in Massachusetts
1815	
Jan 8	After the war is officially over, Andrew Jackson whips the British at New Orleans
Feb 7	Secretary of Navy position in the cabinet is created
Mar 3	Congress restores open trade with all nations
June 18	Napoleon is defeated at Waterloo
Aug 5	Captain Stephen Decatur negotiates peace treaty with Tunis to end naval conflicts
Dec 5	Madison urges congress to support a second US Bank, a strong army, infrastructure work
1816	
Jan 8	Clay and Calhoun now support US Bank, while Webster opposes it.
Mar 14	Congress approves Second Bank of US, to open January 1, 1817
Mar 16	Democratic caucus nominate James Monroe over William Crawford for presidential
April 11	Blacks in Philadelphia open African Methodist Church, first independent of white control
April 27	Tariff Act passed to protect American manufacturing, with Clay and Calhoun supporting
Oct 27	William Crawford named Secretary of the Treasury
Dec 4	James Monroe is elected president
Dec 11	Indiana is admitted to the Union (#19)
Dec 28	American Colonization Society founded to return Africans to Liberia
1817	
Jan 1	Second Bank of the US opens in Philadelphia
Mar 3	Madison vetoes a bill to spend Federal funds on infrastructure, calls it unconstitutional

Chapter 52. Clay, Calhoun and Webster Begin to Shape America's Political Debate (1811-1852)



Calhoun, Webster and Clay

Sections

- The “Great Triumvirate”
- Henry Clay of Kentucky
- John C. Calhoun of South Carolina
- Daniel Webster of Massachusetts

Macro-Themes

Politics
 - Henry Clay
 - John Calhoun
 - Daniel Webster

Time: 1811-1852

The “Great Triumvirate”



The run-up to, and outbreak of, the War of 1812, witnesses the emergence of three politicians who will shape US foreign and domestic policy over the next four decades.

Henry Clay and John Calhoun enter politics as Democratic-Republicans, before later founding their own political parties in opposition to President Andrew Jackson. Calhoun starts up the “Nullifier” Party in 1828 and Clay begins his Whig Party in 1834.

Daniel Webster is a rock-ribbed Federalist who eventually joins the Whigs, while moving back and forth between public office and his lucrative law practice.

Each man will become the leading spokesman for his region of the country – Webster for the Northeastern states, Calhoun for the South, and Clay for the new West.

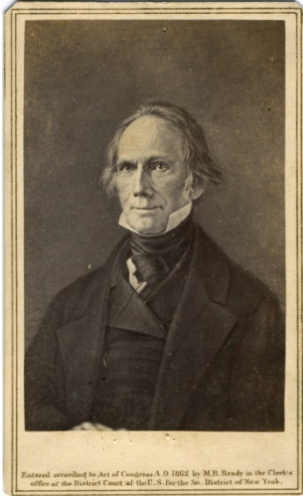
Along the way they will also battle back and forth for the presidency, Clay on five occasions, Webster on three and Calhoun twice. But each man’s long and often controversial track record in public office leads to defeat.

All three play critical roles as regional differences over slavery threaten to tear the Union apart – with Clay and Webster trying to hold it together and Calhoun eager to have his South secede.

Together they will earn their reputation as “the Great Triumvirate.”

Time: 1806-1852

Henry Clay of Kentucky



Henry Clay (1777-1852)

After serving two brief stints in the U.S. Senate, Henry Clay decides that the House, with its “power over the purse,” is where he belongs. In 1811, at age 33 years, he is elected to the lower chamber. On his first day there, March 4, 1811, he is chosen as Speaker by a 75-38 margin, a signal recognition of his intellect and his ability to find middle ground between his Democratic-Republicans and the Federalist opposition. He will serve his country in Washington over a 46 year span, until his death.

Clay is born on April 12, 1777, in eastern Virginia, where his family has lived for 150 years. His first home is a modest-sized plantation, with 25 slaves, situated in Hanover County, near a swampy area known as The Slashes. When Henry is 14 years old, his family moves west to Kentucky, leaving him behind to find his way in the world. He moves to Richmond, where he first works in an emporium and then lands a job clerking at the state’s high court chancery.

Clay’s formal education is minimal, but he is intensely curious about the world, naturally gregarious, and meticulous, especially when it comes to his handwriting. This latter trait recommend him to Judge George Wythe, who suffers from a crippled hand and is looking for a private secretary. Clay lands the job and stays with the Judge over a four year period.

Wythe has signed the Declaration of Independence, and become a classical scholar at the College of William & Mary, where he mentors a host of political leaders, including Thomas Jefferson and James Monroe. He transforms Clay, intellectually, socially and inspirationally, during their four years together, and prepares him for a planned career in law. He also advises Clay on slavery, touting the idea that education must accompany freedom, if the problem is to be solved. Clay’s posture on the dilemma tends to mirror Jefferson’s. On one hand he decries it as an evil practice all his life:

Can any humane man be happy and contented when he sees nearly thirty thousand of his fellow beings ‘around him, deprived of all rights which make life desirable, transferred like cattle from the possession of ‘one to another...when he hears the piercing cries of husbands separated from wives and children and parents. ‘The answer is no...

But he too will continue to buy and own slaves up to his death, when he finally embraces Wythe’s solution – granting emancipation and supporting education and employment for those freed.

In 1797 Clay passes the bar, heads west to visit his family, and settles down in the well-established town of Lexington. Once there, his law practice, both civil and criminal, takes off, as does his lasting reputation as Shakespeare’s “Prince Hal,” a good fellow, well met, ready to drink, gamble on cards and horses, and share his opinions with all comers. In 1799 he marries Lucretia Hart, adding both wealth and slaves in the process. He joins the law faculty at Transylvania College, and enters politics in 1803, winning a seat in the Kentucky State Assembly that he will hold for six more years.

In 1806 his national notoriety grows by successfully defending Aaron Burr against charges of treason filed by the U.S. District Attorney in Kentucky.

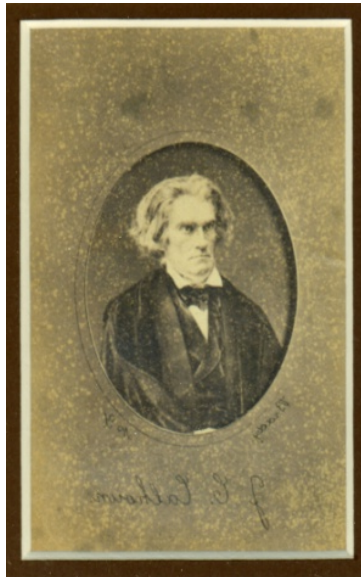
Ill will over this support for Burr accounts in part for the first of two non-fatal duels Clay will instigate during his career. On January 19, 1809, he exchanges three shots with another legislator, Humphrey Marshall, leaving both men with slight wounds.

Within Democratic-Republican circles, he is known as the “Rising Star of the West.”

As a leader of the “War Hawk” faction, he supports Madison’s call to war with Britain in 1812.

Time: 1811-1850

John C. Calhoun of South Carolina



John C. Calhoun (1782-1850)

If Clay brings a western perspective to Congress, John Calhoun will become a leading spokesperson for the more conservative partisans of the south, across his four decades in office.

He is born on March 18, 1782 in Abbeville, South Carolina, a frontier settlement in the northwest corner of the state, abutting Georgia. His ancestors are Scots-Irish immigrants, who put down roots in Long Cane, some thirteen miles to the south, before being driven out by hostile Cherokees. His father, Patrick Calhoun, Jr., a survivor of the Long Cane massacre of 1760, builds a cotton plantation, worked by his family and 30 slaves. Patrick is also active in the state legislature, and known for strong anti-Federalist positions.

John Calhoun is raised as a Presbyterian, with its Calvinistic emphasis on hard work, personal discipline, stern demeanor, and a rather bleak view of human nature. He is frail as a youth, and drawn early on to academics rather than farming. His early formal education is limited, but his parents

recognize his bent, and enroll him at Yale University in the fall of 1802. While there, his Calvinist traditions come up against early strains of Unitarianism, with its emphasis on beliefs born of rational, independent thought.

He graduates from Yale in 1804 and soon moves on to Litchfield Law School in Connecticut, run by its founder, one Tapping Read, whose students include both Calhoun and Aaron Burr. Ironically, Read is an outspoken supporter of a strong national government, something his two famous graduates come to question.

In 1807, Calhoun is back in South Carolina and practicing law, when the British frigate HMS Leopold attacks the US Chesapeake off the Virginia coast and impresses four of her sailors. Calhoun organizes a protest meeting held at the Abbeville courthouse, and delivers a stirring speech in favor of an embargo against Britain and stepped up preparations for war. This entry into the political arena leads to two terms of service in the South Carolina state legislature.

At this time he is also falling in love with his first cousin once removed, Floride Boneau Colhoun, later famous for her outspoken moral rectitude in the 1830 “Petticoat Affair.” The strait-laced suitor is uncharacteristically affective in his pursuit of Floride:

My dearest one, may our love strengthen with each returning day, may it ripen and mellow with our years, and may it end in immortal joys. ... May God preserve you. Adieu my love; my heart's delight, I am your true lover.

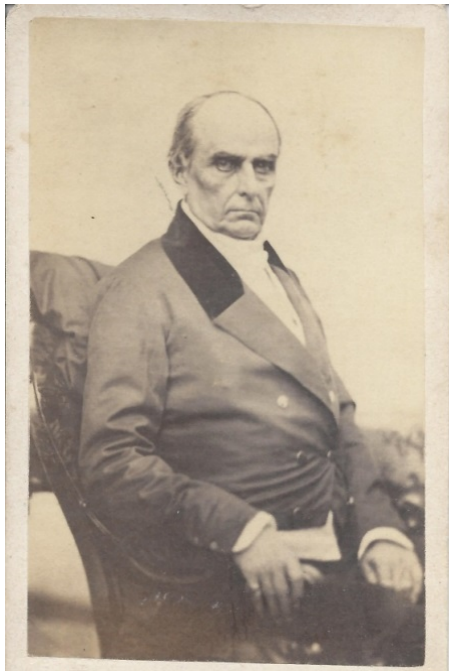
The two marry and move into her 1100 acre Fort Hill Plantation, in the foothills of the Blue Ridge Mountains, as Calhoun is about to become a political fixture in Washington. He arrives there soon after the Twelfth Congress convenes on November 4, 1811. Like most congressmen of the time, he resides in a boardinghouse, his named "the War Mess" and shared with his new colleague and ally, Henry Clay of Kentucky.

His administrative skills are immediately apparent to all, as is his willpower. He is appointed in the House to the Foreign Affairs Committee and soon becomes its chair. On June 3, 1812, he sums up the feelings of his fellow committee members:

The mad ambition, the lust of power, and commercial avarice of Great Britain, arrogating to herself the complete dominion of the Ocean, and exercising over it an unbounded and lawless tyranny, have left to Neutral Nations—an alternative only, between the base surrender of their rights, and a manly vindication of them... (The committee) feels no hesitation in advising resistance by force—In which the Americans of the present day will prove to the enemy and to the World, that we have not only inherited that liberty which our Fathers gave, us, but also the will & power to maintain it.

Time: 1813-1852

Daniel Webster of Massachusetts



(Daniel Webster (1782-1852))

The third member of the triumvirate who assume political leadership from 1810 to 1850 is Daniel Webster, whose famous oratory captures the sentiments of the elite Federalist establishment in New England.

Webster's antecedents emigrate from Scotland to New Hampshire in 1637. His father, Ebenezer, fights in the French & Indian War and in 1761 carves out a 225 acre farm on the western frontier in the town of Salisbury. In 1775 he organizes the Salisbury Militia and leads it throughout the Revolutionary War. Back home, Eben serves in the New Hampshire state legislature and as an elder in the Congregational Church.

Daniel Webster is born on January 18, 1782, Eben's fourth child. The boy adores his father, who tells him tales of the patriotic war, reads to him from the Bible and encourages his penchant for learning. Unlike his father, young Webster is frail, more prone to books than farming. In 1796 he is admitted to Phillips Exeter Academy, being placed at the bottom of his class for want of Latin. One year later he has risen to the top rank, before being called back to Salisbury to begin working as a teacher.

He escapes this fate with the help of a local minister, Thomas Thompson, in nearby Boscawen, who agrees to tutor him for one dollar a week. In 1797 he enrolls at Dartmouth College. Once there, Webster comes fully into his own. His self-confidence grows – some would say into arrogance – and he uses his powerful memory and love of words to become a dominant public speaker and debater. Classmates label him their “ablest man.”

After graduating, he is prodded into pursuing a legal career by his father. Webster himself sees the profession as filled with cunning and hypocrisy and says “I pray to God to fortify me against its temptations.”

But his feelings change in 1804 when he goes to work in Boston for Christopher Gore, ex-Attorney General of Massachusetts, who has made a fortune in financial speculation around Revolutionary War bonds, and in representing dispossessed Loyalists (to the Crown) in property disputes. Webster regards Gore as a genuine legal scholar to be emulated, and Gore encourages the youth to stick with the law and aim high in his career.

In 1805 Webster passes the bar and opens a law practice in Boscawen. His talents as a trial lawyer are soon evident to all, and his annual income soars to over \$2,000 a year.

The courtroom becomes his stage, a place to show off both forensic logic and a love of language, accumulated over years of reading and memorizing doses of the Bible and Shakespeare and John Milton. One of his legal adversaries admires his innate theatrical talents:

There never was such an actor lost to the stage as he would have made, had he turned his talent in that direction.

His legal successes and oratorical skills soon draw Daniel Webster into the political arena, despite his warning in an 1809 Phi Beta Kappa address at Dartmouth:

The main impediments to moral improvements are love of gold and pursuit of politics.

His father’s stories of the revolution make him first and foremost a Union man – and his emotionally charged pleadings to preserve the “great experiment of 1776” will form his lasting legacy.

But politically he is a rock-ribbed Federalist. His faith lies in the Constitution, in a strong national government and in visionary leaders like George Washington. In an 1812 convention held by New Hampshire Federalists in Rockingham county, he assails Jeffersonian democracy.

The path to despotism leads through the mire and dirt of uncontrolled democracy.

He also, prophetically, announces another potential path to doom, this time related to secession.

If a separation of the states shall ever take place, it will be, on some occasion, when one portion of the country undertakes to control, to regulate, and to sacrifice the interest of another.

It is finally the impending war with Britain War that draws Webster onto the political stage. He is elected in 1812, at age thirty, to represent New Hampshire in the U.S. House.

Once in Washington, he boards with two influential senators, his former mentor, Christopher Gore, and Rufus King of New York.

Unlike Clay and Calhoun, Daniel Webster will be a sharp critic of Madison’s preparations for and management of the War of 1812.

Chapter 53. Napoleon Reaches his Zenith and then his Downfall (1808-1812)



Napoleon (1769-1821)

Sections

- Napoleon Controls All of Europe by 1811
- Napoleon Suffers a Crushing Defeat in Russia

Macro-Themes

War

- Napoleonic Battles
- Battle of Wagram
- Battle of Friedland
- Peninsular Campaign
- Russian Exit from Blockade of Britain
- Invasion of Russia
- Battle of Boradino
- Retreat from Moscow
- Destruction of the French Army

Time: 1808 – 1811

Napoleon Controls All of Europe by 1811

The war that Madison proposes in 1812 results directly from the existential threats posed to Britain by the Emperor Napoleon of France. Thus the need to interfere with American ships and “impress” American sailors in order to man the Royal Navy to stop a French invasion.

Ironically, just as America and Britain are about to go to war again, Napoleon begins his fateful plunge into the Russian homeland which ends his stranglehold on world affairs.

The new French empire continues to ride high into 1806, controlling all of central Europe except Portugal.

When Portugal resists, the French and their ally, Spain, invade, capturing Lisbon on December 1, 1807, as the royal family transfer their regency to the colony of Brazil.

Further intrigue follows in February 1808, as Napoleon makes a move he has long avoided, turning against Spain. The betrayal catches the Spanish army by surprise and it quickly gives way. However, bloody public uprisings occur in many cities, including Madrid, and lead on to the reprisal executions later immortalized by the artist, Goya. It is not until May 5, 1808, that Napoleon is able to name his older brother, Joseph, King of Spain.

While the local Spanish population refuses to bend to the French will, and guerilla (“little war”) actions persist over time, supported in part by British expeditionary forces, Joseph is able to remain on the throne until the tide turns against the French in 1812-13.

As 1809 arrives, the Austrian monarch, Francis II, loser at Austerlitz, decides to challenge Napoleon once again. He does so at Wagram, 6 miles northeast of Vienna, in a fierce artillery dominated battle that

covers July 5-6, involves 300,000 men, and counts 80,000 casualties – before the French emerge victorious.

By 1809-10, Napoleon’s power is at a zenith.

He has effectively isolated Britain from its three potential “coalition partners” on the continent – Austria, Prussia and Russia – first by thrashing their armies and then by signing peace accords with each.

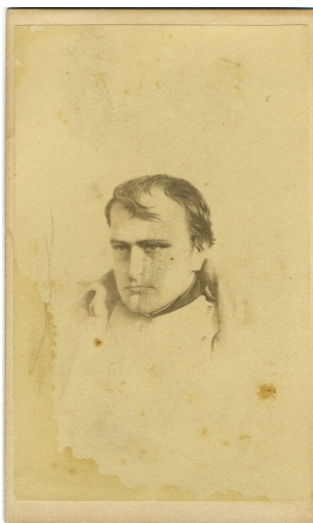
The only things limiting Napoleon’s horizons are the presence and superiority of the British navy – and the small chance that he will eventually make a strategic blunder.

Napoleon’s Triumphs in 1807 to 1811

1807	Battle of Friedland – Napoleon beats Russia
	Peninsular campaign – Napoleon beats Portugal
1808	Napoleon turns on ally Spain, Joseph Napoleon on throne
1809	5 th Coalition vs. Austria and Britain
	Battle of Wagram – Napoleon beats Austria, occupies Vienna
	Napoleon divorces Josephine; marries Marie-Louisa of Austria seeking heir
1810	Napoleon and France rule the European continent
1807	Battle of Friedland – Napoleon beats Russia
	Peninsular campaign – Napoleon beats Portugal
1808	Napoleon turns on ally Spain, Joseph Napoleon on throne
1809	5 th Coalition vs. Austria and Britain
	Napoleon divorces Josephine; marries Marie-Louisa of Austria seeking heir
1811	Napoleon and France rule the European continent

Time: June to December 1812

Napoleon Suffers a Crushing Defeat in Russia



In June 1812 Napoleon makes the strategic mistake that will cost him his empire.

When Russia, encouraged by Britain, withdraws from Napoleon’s continental blockade of English goods, the Emperor decides to invade. He assembles a huge army, over 500,000 men (half French, half foreign conscripts) , and begins to march east on July 24, 1812. The Russians at first retreat, under the scorched earth strategy of the Scotsman, Barclay de Tolley, Minister of War. When troop morale deteriorates, command passes to the 67 year old veteran, General Mikhail Kutuzov.

Kutuzov has suffered two horrible head wounds over time, which leave his right eye mis-shaped and cause him constant pain. He has also fought Napoleon before, losing at Austerlitz, which leads Alexander I to doubt his talents. But Kutuzov is a native Russian, much beloved by the troops, and he is charged with resisting the French approach to Moscow.

By the time Napoleon is ready to attack, the central army wing under his direct command has already dwindled by over 100,000 men, not from lost battles, but from dysentery and typhus.

At 5:30AM on September 7, his remaining 130,000 men attack Kutuzov's 120,000 troops just west of Borodino, roughly 65 miles from Moscow. Both generals blunder during the day, Kutuzov's troop deployment is flawed and Napoleon refuses to send his Old Guard in to finish off the battle – which turns into a bloodbath, with French losses at 30,000 and Russian losses at 44,000.

After Kutuzov retreats, Napoleon continues his march to Moscow, reaching the city on September 14. By that time, however, only 15,000 of the city's population of 270,000 have stayed behind, the mayor has put the torch to most of the buildings, and both food and shelter are in short supply.

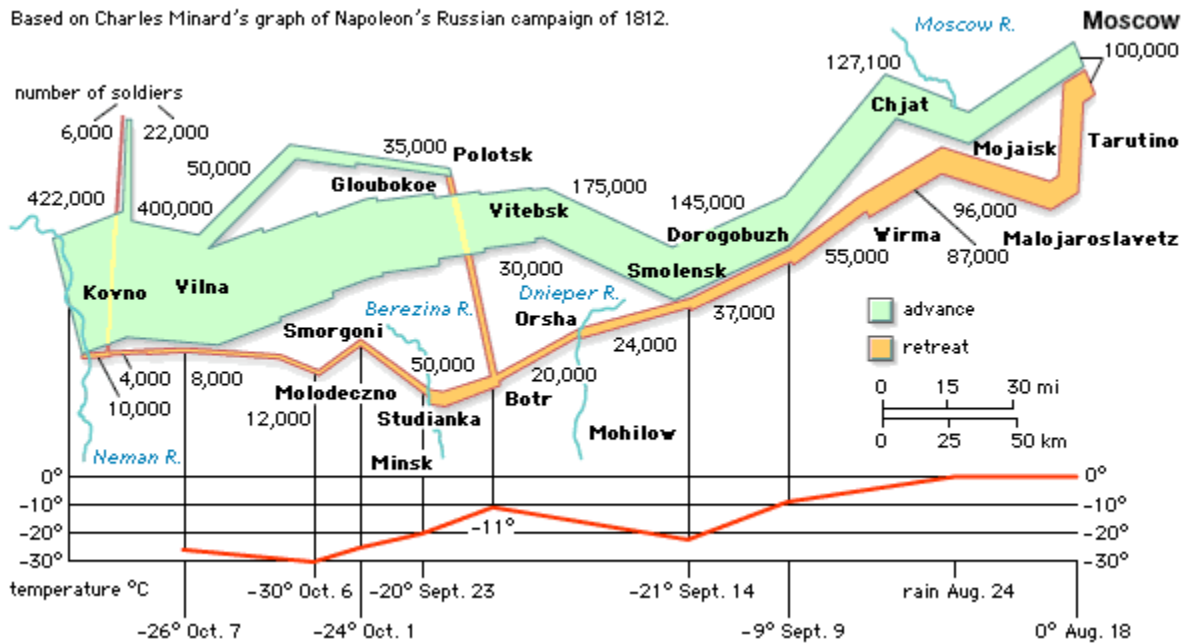
Napoleon is now some 1500 miles from Paris and 600 miles from his jumping off point for the invasion, the Nieman River, in Poland. What was the Grand Armee has been reduced to 95,000 tired and starving men.

When Alexander refuses to discuss a treaty to end the conflict, Napoleon exits Moscow on October 19. The road back west is tortuous and marked by death from ambushes, starvation and disease. While various commanders cite the winter weather as a sizable factor in the defeat, the first snowfall is not recorded until November 5 and temperatures tend to hold in the 15-20 degree Fahrenheit range until early December.

On December 14, 1812, the survivors of the Russian campaign re-cross the Nieman. Most estimates peg this number at around 30,000 men.

In less than five months Napoleon has lost 370,000 dead and wounded and another 100,000 captured. He has lost Russia. And he has finally lost his mantle of invincibility.

Invasion of Russia.



A statistical map of the Russian campaign

Chapter 54. The War of 1812 (1812-1815)



Lenaux in uniform

Sections

- The Three Theaters of War
- War Along The Canadian Border Begins Badly
- America Scores Victories at York, the Niagara Forts and Detroit
- A Drawn Battle at Lundy's Lane Ends Fighting on The Border
- Britain Routes American Forces Along the Atlantic Coast
- British Sack Washington but are Turned Back at Baltimore
- The Denouement in the Western Theater at New Orleans
- The Treaty of Ghent Ends the War

Macro-Themes

- War
- War of 1812
 - Ft. Detroit
 - Queenstown Heights
 - Burning of Troy
 - Battle of Lake Erie
 - Battle of Thames
 - Ft. George
 - Ft. Niagara
 - Lundy's Lane
 - Atlantic Blockage
 - Battle of Bladensburg
 - Sack of Washington
 - Baltimore Defended
 - Horseshoe Bend
 - New Orleans

Time: June 4, 1812 to January 15, 1815

The Three Theaters of War



The Three Theaters in the War of 1812

As Napoleon is launching his French army east into Russia in July 1812, the American army is suffering its early reversals in the invasion of British Canada.

America's War of 1812 – or “Mr. Madison's War,” as it is called by the Federalists – will drag on for two and a half years before a truce is signed.

It is fought on land and water in three separate theaters and phases:

- Along the Canadian border – with the U.S. trying to invade north, and Britain, with certain tribal allies, threatening territories from Ohio to Michigan.
- On the Atlantic coast – featuring the British naval blockade and eventually leading to the short-lived thrusts against Washington and Baltimore.
- In the deep South – culminating in a landmark battle around New Orleans.

It will end when both sides recognize that the costs of continuing to fight outweigh the realistic gains left to be had.

Chapter 55. The Spector of Secession Arises at the Hartford Convention (1814-1815)



Samuel Hall, A War Of 1812 Vet

Sections

- New England Protests the Souths “Unfair Voting Advantages”

Macro-Themes

Politics

- North Vs. South
- 3/5th Voting Clause for Slaves
- Constitutional Amendments
- Majorities for War, Trade, States
- Term Limits for President
- Challenging Southern Political Power

Time: December 15, 1814 – January 5, 1815

New England Protests the South’s “Unfair Voting Advantage”

As Jackson is preparing to fight for New Orleans, another battle is taking shape, this a political one, pitting the Northeast states against the South.

From the opening debate in congress onward, the old-time Federalists of New England have stood in firm opposition to “Madison’s War” -- a war which has cost their region dearly in terms of lost manufacturing and shipping revenues, and left them feeling vulnerable at any moment to a Royal Navy invasion.

The sack of Washington and the threat to Baltimore over the summer of 1814 heighten their fear and anger.

A powerful trio of Massachusetts’s men are particularly outspoken critics of Madison’s conduct of the war and its effect on the economy. They include Timothy Pickering, former Secretary of State in Washington’s cabinet., the Boston lawyer, John Lowell, Jr., and Josiah Quincy, later president of Harvard University.

Others join them in the call for New England to band together and challenge federal operations and policies.

These ideas are aired at the “Hartford Convention,” which is gavelled to order on December 15, 1814.

The convention is chaired by George Cabot, a well-known seaman, merchant, and ex-Senator from Massachusetts.

A total of twenty-six delegates attend, representing five states – Connecticut, New Hampshire, Rhode Island, Vermont and Massachusetts. The meetings are held in private over a three week period and result in a report to be delivered to Congress.

At first glance this final document will appear fairly moderate. It suggests that five Amendments be added to the U.S. Constitution:

1. Prohibit trade embargoes lasting over 60 days;
2. Require a 2/3rd vote majority to declare war, impair foreign trade, admit new states.
3. Limit future presidents to one term.
4. Insure that future presidents are from different states than the incumbent.
5. End the unfair voting advantage the South has in the House owing to the 3/5th slave count.

It is the fifth amendment that quickly stirs regional tensions.

It does so by re-opening an old wound -- the controversy at the 1787 Constitutional Convention whereby the South was “allowed to count their slaves as semi-citizens” (i.e. the 3/5ths Enumeration Clause).

The North never quite lets go of this concession, and, at Hartford, it resurfaces as the source of an “unfair voting advantage” enabling the South to wield more than its fair share of power in Washington.

The result being two Virginia presidents in a row – Jefferson and Madison – who have imposed trade embargos and brought on a war that has been ruinous to New England’s well-being.

In the face of these “unconstitutional infringements” on the region’s wishes, the only recourse left would seem to be breaking with the union or refusing to obey self-destructive laws.

Ironically this latter option is exactly what John Calhoun and the South will echo down the road, first over the tariff and then over slavery. The “right” of the states to nullify federal statutes detrimental to their well-being.

However, by the time the Hartford Convention report reaches Washington, the outlook for New England’s shipping economy is looking up. The war with Britain is over, and what’s left of the French army is straggling back from Moscow. Prospects are suddenly hopeful for a natural return to free and secure trade on the high seas.

Still the proposed amendments from Hartford have a residual effect when the Democratic-Republicans cite them as evidence of Federalist antipathy toward the South, and possible disloyalty toward the Union.

Chapter 56. The End of the Napoleonic Wars (1815)



Arthur Wellesley, Duke of Wellington
(1769-1852)

Sections

- France is Driven out of Spain
- The Sixth Coalition Occupies Paris
- Napoleon is Banished to Alba but Returns for his Final Act
- The French and Coalition Forces Arrive in Belgium
- The Decisive Battle of Waterloo Begins
- Waterloo is Lost and Napoleon is Deposed for Good
- The World Reshaped after Waterloo

Macro-Themes

- Napoleonic Wars
- The Sixth Coalitions Forms Vs. Napoleon
 - French Losses Mount
 - Wellington Wins Peninsula Campaign
 - Battle of Vitoria
 - Joseph Napoleon Abdicates in Spain
 - Battles of Lutzen and Dresden
 - Turning Point Battle of Leipzig
 - Occupation of Paris
 - The 1814 Treaty of Paris
 - Napoleon Banished to Elba
 - Louis XVIII Restored to The Throne
 - Napoleon Returns to Power
 - The Battle of Waterloo
 - Napoleon Exiled to St. Helena until Death
 - The Paris Peace Conference Of 1815
 - Relative Stability across Europe Sets in

Time: Summer 1812 – Winter 1813

France is Driven out of Spain

While the military tide in 1812 is turning against Napoleon himself in the east, it is likewise threatening his brother Joseph's rule in Spain.

The main source of the western threat is none other than the Irishman, Arthur Wellesley, destined for future fame as the Duke of Wellington. Wellesley is born into wealth in 1769, educated at Eton, and travels to France to learn horsemanship and to speak French. He wishes to pursue his love of music, but his mother pushes him into the military. He serves multiple tours of duty with the British army in Europe and India, is knighted and elected to Parliament. In 1808 he begins a six year campaign to dislodge France from Portugal and Spain.

His efforts bear fruit on July 22, 1812 – two days before Napoleon begins his ill-fated march into Russia – when his 52,000 strong coalition army (Britain, Portugal, Spain) defeats the French at the ancient city of Salamanca, 120 miles west of Madrid. The victory makes Wellesley a national hero in Britain, and lays the groundwork for a final drive against the French in Spain.

This culminates on June 21, 1813 at the Battle of Vitoria, in the northwest Basque region of the country.

While Napoleon has been plundering his army in Spain to support the invasion of Russia, General Wellesley has gathered and trained 110,000 troop (52,000 British, the rest from Portugal and Spain).

His attack at Vitoria overwhelms the much smaller French army (60,000 men) under Joseph Napoleon, and hurls them across the Pyrenees into southwestern France.

All hopes for a French resurgence in Spain disappear in October when Napoleon suffers another major setback to the east, at the Battle Of Leipzig.

After Joseph Napoleon hears of this loss, he officially abdicates the throne of Spain on December 11, 1813.

He will live on for another thirty years, first in America from 1817-32 (where he reportedly sells the crown jewels of Spain) and then back in Italy where he dies in 1868 and is buried in Les Invalides Paris, along with his younger brothers, Napoleon and Jerome.

Time: Spring 1813 – Spring 1814

The Sixth Coalition Occupies Paris

Napoleon's 1812 defeat in Russia emboldens the conquered nations of Europe to once again seek their liberation from France.

Prussia makes the first move here, ending its alliance on December 30, 1812, then declaring war on March 16, 1813.

In response, Napoleon assembles a large invasion force and moves east, defeating a combined Prussian and Russian army under General Peter Wittgenstein, first at Lutzen on May 2 and then at Bautzen on May 20. Both sides lose roughly 40,000 in these battles.

With the momentum on his side, Napoleon inexplicably agrees to a truce (he calls it "the greatest mistake of my life") which commences on June 4. This gives the allies a chance to regroup – and for Austria to join the coalition, tipping the manpower edge against France.

Despite this, Napoleon almost encircles the allied army under the Austrian, Karl Furst zu Schwarzenberg, just outside Dresden, on August 26-27. The allies lose almost 40,000 men here to only 10,000 for the French, and, were it not for Napoleon's sudden illness, the rout could have been even more devastating.

Six weeks now pass before the largest ground battle prior to World War I is fought over a four day span, October 16-19, 1813, at the Saxon town of Leipzig.

Napoleon fields 195,000 troops, Frenchmen and alliance forces from Italy, Poland and the German confederation. Together they are led by a host of famous field marshals – Michel Ney, Joachim Murat, Jacques MacDonald, Jozef Poniatowski.

But Napoleon is vastly outnumbered by the 365,000 man coalition army, comprising Russia, under Alexander I, the Austrians, commanded by Schwarzenberg, von Blucher's Prussians, and the Swedes, under Crown Prince Charles John.

The Battle of Leipzig – also known as The Battle of Nations – seals Napoleon's fate.

Over four days the two massive armies fight it out in towns north and south of the central French command in Leipzig. On the morning of October 18 the coalition launches a coordinated attack on all sides that endures for nine hours. By day's end, Napoleon knows that the battle is lost, and he begins a successful retreat that continues into the 19th.

The French have suffered 38,000 killed or wounded and other 15,000 prisoners; coalition losses are put at 52,000.

Napoleon is now in headlong retreat, back across the Rhine toward Paris, with the vastly superior coalition army on his tail.

He has one last moment of brilliance left, in the Five Days campaign, from February 10-14, 1814.

The allies have three massive armies coming after him, which means that his only chance lies in beating them in detail. His first move, pitting his 30,000 men against von Blucher's 110,000 some 50 miles northwest of Paris leads to four consecutive victories.

But the allied wave coming his way is now overwhelming.

The coalition, however, is not all together on the endgame it seeks.

Francis I of Austria and his foreign minister, Metternich, hope to conclude a treaty with Napoleon that would cost the French territorial gains, but leave the nation strong enough to avoid any chances of an English invasion of Europe.

But Alexander I of Russia in particular wants revenge, with Paris taken, Napoleon both deposed and humiliated and the French army neutered. In the end, the coalition supports Alexander and marches on Paris. Their cause is helped by assurances to the war-weary population that the goal is to remove Napoleon, not harm the civilians.

After rear guard resistance is overcome, the allies occupy Paris on March 30, 1814 – the first time it has fallen in nearly 400 years.

Time: Spring 1814 – Spring 1815

Napoleon is Banished to Alba but Returns for his Final Act



King Louis XVIII

On April 14, 1814, the French minister, Talleyrand, suggests that Louis XVIII, a Bourbon, be chosen to replace Napoleon and to rule under a charter restoring pre-Revolutionary conditions. All sides agree on this option.

This leads to the Treaty of Paris, signed on May 30, 1814, restoring France's 1792 borders and exiling Napoleon to the Isle of Alba, just off the southern coast of France, near Corsica, where he was born.

He spends 300 days on Alba before deciding to return to Paris, in response to rumors of popular uprisings against the monarchy, and fears that his country and army will be victimized by the Congress of Vienna dictates.

On March 1, 1815, he lands with 600 troops near the southern coastal town of Antibes and is back in Paris on March 19, with supporters flocking to his banner and with Louis XVIII in flight.

He quickly holds a plebiscite, showing the world that the French people back him.

His next step will be to restore France to its former preeminence in Europe.

The Napoleonic Empire: Key Events

1812	22 July French loss at Battle of Salamanca; Wellesley hero in Spain
	24 July Napoleon crosses into Russia
	7 Sept Borodino
	19 Oct Napoleon leaves Moscow and begins retreat
	14 dec recrosses into France
	30 dec – P withdraws from F alliance
1813	Mar 16 P declares war on F
	April 13 F initiates campaign April 13 F initiates campaign
	May 2 Lutzen 100 vs. 73; 20-18, F win
	May 20-21 Bautzen ; 96 vs 96, 20-20, F win
	June 4 Temporary armistice til Aug. 13 rebuild
	Austria joins coalition vs. N
	Aug 26-27 Dresden N 150,000/P 170,000; 10 vs 38, F wins
1813	June 21 Battle of Vittoria begins drive French out of Spain
1813	Oct 16-19 Leipzig N 195,000 P 365,000; loss 73,000; 54,000 – called battle of nations – allies win! Largest battle prior to WWI
	Dec 11 Joseph Bonaparte abdicate throne of Spain
1814	Feb 10-14 Five Days Campaign west of Paris– brilliant Napoleon wins, but futile
	March 30 Allies occupy Paris
	April 14 Louis XVIII placed on French throne
	May 30 Treaty of Paris ends war; Napoleon to Alba
1815	Napoleon escapes Elba and returns to France
	“Hundred Days” March 1-June 18, 1815.
	7 th Coalition vs. Britain and Prussia
	Waterloo

Time: June 15, 1815

The French and Coalition Forces Arrive in Belgium

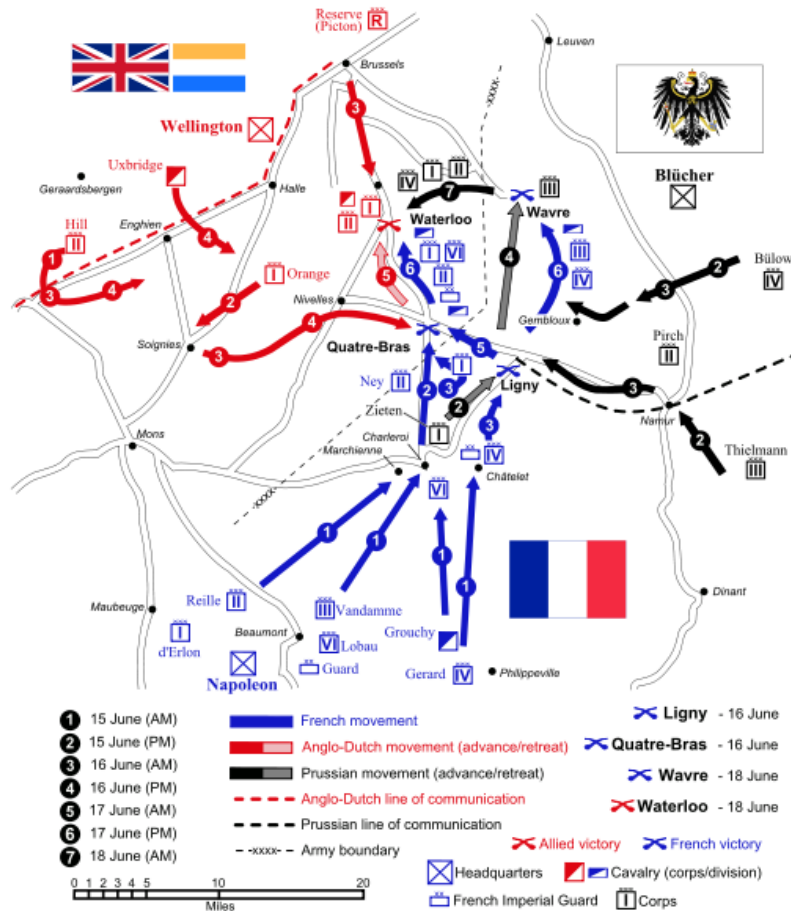


Field Generals at Waterloo

Despite Napoleon's wishes, the Seventh Coalition countries – mainly Britain, Prussia, Austria and Russia – will have none of this. They brand him an outlaw and reassemble a huge army to oust him.

True to form when threatened, Napoleon goes on the offensive with his Armée du Nord, 130,000 strong and filled with veterans of his prior victories. He intends to take on the Coalition and attack it in detail, before it is able to concentrate the mass needed to overwhelm him.

He sets his sights on the heavily French oriented city of Brussels, 160 miles to the northeast of Paris, where he expects to encounter second tier British troops under Wellesley (soon to be Wellington) and worn out Prussians, under Blucher.



The Combatants Arrive in the Vicinity of Waterloo

As Napoleon draws near, the allies anticipate that he will sweep north in an attempt at encirclement, but instead he dives straight between them – crossing the River Sambre on June 15 and dividing his force in two. At Quatre Bras, on his left, he places 70,000 troops under General Ney to block the English, while he moves to his right, eastward, with 60,000 me to attack Blücher’s force of 83.000 around the town of Ligny.

Ligny will be Napoleon’s final victory.

The Battle of Ligny opens at 2:30PM on June 16 and remains in the balance until Bonaparte sends in the Old Guard around 7:45 and drives the Prussians off the field to the west. During the fight, the 72 year old Blücher leads a charge, but is knocked unconscious when his horse is shot and falls on him.

But Napoleon knows that the Prussians have only been bruised at Ligny, not routed, and he worries that they will try to reunite with the British.

He needs to attack again before that can occur.

Time: June 18, 1815 -- 2AM To 4:30PM
The Decisive Battle of Waterloo Begins



Hougoumont Battle of Waterloo

When Wellington hears the outcome at Ligny, he retreats from Quatre Bras, north to a high ground position he has staked out on a 2.5 mile ridge running east and west in front of the town of Mont St. Jean. A country road runs along the ridge, and intersects on the east with the main route toward Brussels, some 8 miles north.

The British General is a long-standing proponent of defensive warfare, and he deploys his forces in a way that will enable him to grind down any frontal assault on his center.

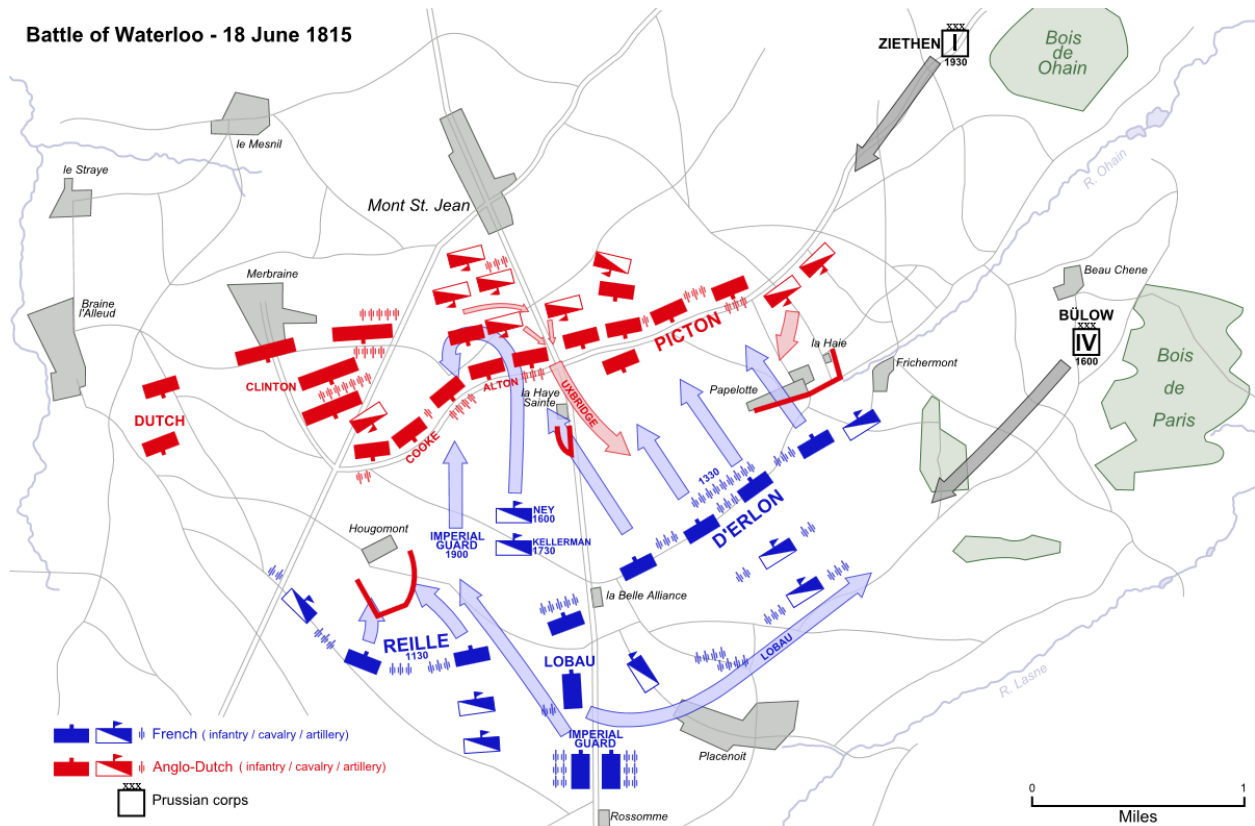
He does this by fortifying three sets of farmhouses and out-buildings., on his right flank, the Chateau Hougoumont, a half mile down from the ridge; on his near left La Haye Sainte, and on his far left Papelotte, along the road west toward the Prussians. Each site is manned and ready to send enfilading fire into all French troops trying to ascend the ridge.

Wellington has one other trick up his sleeve, and that is the ability to have his troops along the ridge lie down along the back slope while enemy artillery charges fly over their heads.

At 2AM on the morning of June 18, the Duke, headquartered further north in Waterloo, hears that Blucher will provide one Prussian corps to support him, if the battle occurs later in the day. This convinces him to make his stand on his current ground.

As the dawn arrives, the two sides each assemble roughly 70,000 men to do battle in a confined space of roughly 2.5 miles by 2.5 miles.

Battle of Waterloo - 18 June 1815



The French Forces Attack Wellington's High Ground Position

Napoleon rises at 8AM, takes breakfast, and rides north to review his troop alignments – his light infantry chasseurs in bright green, the light cavalry hussars, mounted cavalry dragoons and carabineers with long guns strapped to saddles, cuirassiers wearing metal breastplates, the towering grenadiers, chosen to lead assaults, in their blue and scarlet uniforms and bearskin headgear designed to add to their natural height, the cavalry lancers with their 10 foot wooden staffs tipped by a sharp steel blade, and the artillerymen, “his most beautiful daughters,” whose mastery and courage have won him many a victory.

The French Emperor is eager to conquer the British in his front and march into Brussels for his evening meal. While he has never met Wellington before, he remains typically confident. And his troops cheer and call out his name as he passes in front of them.

Meanwhile on the ridge, the Duke's troops are lined up shoulder to shoulder according to the traditional 21 inch spacing proclaimed in the manuals. Nobody cheers his presence when he passes, because he has forbidden all such shows from within the ranks.

Napoleon is in no rush to attack. It has rained all night on the 17th, and the field of rye across which the French will make their assault is muddy and slippery. So he waits until 11:30AM, at which time he makes his first move of the day – against the crucial fortifications on his left at Hougomont.

If Hougomont falls, his canoners can ascend the ridge on the left, send enfilading fire down the entire British line, and claim a certain victory.

Artillery fire announces the French move, and it is quickly returned in kind: 4-12 pound solid iron balls bouncing along the ground and gouging body parts, sometimes 15-20 soldiers at a time, before being

spent. Next comes the infantry, marching in order up the slope to the Chateau. The hand to hand fight there lasts for 90 minutes, the only action on the field.

When Hougoumont holds out, Napoleon next tries the British right, a heavy artillery barrage followed by massed infantry, 24 columns deep, coming up east of the Brussels road and past the fortified buildings of La Haye Sainte. Again the defenders drive the French back, led by a heroic cavalry charge behind Sir Thomas Picton, who is mortally wounded.

It is now 3PM and a pause leads many to think the battle is over. While the Duke is constantly visible along the ridge, Napoleon remains slouched in a field chair 1.5 miles back from the action, sending few orders and trusting Marshall Ney to manage the tactics. Amazingly the two do not meet face to face from 9AM until 7PM.

An initial direct attack on La Haye Sainte fails next.

Then, around 4:00PM, Ney, evidently on his own, decides to test the British center. He does so in highly irregular fashion, using cavalry alone, unsupported by infantry.

Wellington responds by “forming squares,” the traditional defense against cavalry. The goal here is first to discourage the horses via planted pikes, and then to shoot them – leaving their armor clad riders stumbling on the field.

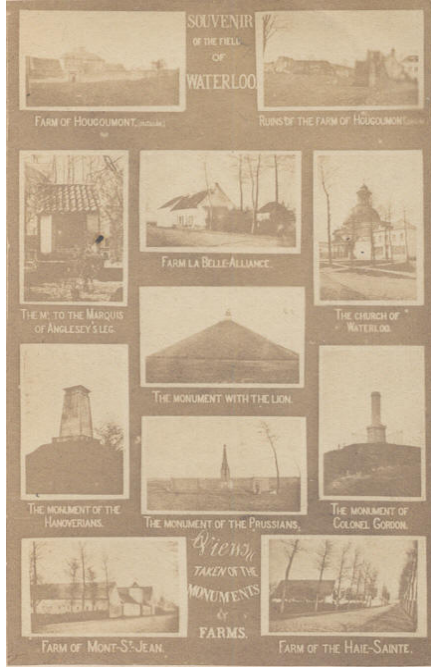
And this strategy succeeds. Some 12,000 French cavalymen ascend the slope in magnificent order, only to be broken up into mingling clusters by the square’s concentrated firepower. By some estimates they reform on twelve occasions to charge again and be rebuffed.

By 4:30PM Wellington, stationed openly in one of the squares, tells an aide. “the battle is mine, and if the Prussians arrive soon, there will be an end to the war.”

But when the French finally take La Haye Sainte, his confidence lessens – and the outcomes again hangs in the balance. Wellington has now shot his bolt, his troops are fought out, and his hope for survival rests on the appearance of Blucher’s Prussians to plug his gaps.

Time: June 18, 1815 – 7:00 To 9:30PM

Waterloo is Lost and Napoleon is Deposed for Good



This is Napoleon’s last best chance. He has held 14 regiments of his best troops, The Imperiale Garde, in reserve to the south. But when Ney requests them, Napoleon refuses to comply.

It is 7:00PM and the Emperor now knows that the Prussians, under Blucher and Bulow, are attacking his right flank, through Papelotte and, further south, at Plancenoit.

His options are running out. Does he use his reserves to hold off the Prussians or fling them up toward the British on the ridge? At 7:30PM he chooses the latter course.

He mounts his horse and leads five regiments of his Imperiale Garde north to the battle.

The Garde, the “Immortals,” famed for their courage – “the Garde dies, it does not retreat.”

Key Battle Sites on the Field at Waterloo

Many expect Napoleon himself to ride at the front of his troops, but he turns them over to Ney who has already had five horses shot from under him and is near exhaustion. Instead of taking the Brussels road up to the ridge, Ney veers left across the same ground as his prior cavalry charge. This adds 1,000 yards to the task, with the remains of the British artillery firing away.

As the Garde reaches the apparently accessible ridge, some 1,000 British infantrymen, the 1st Foot, under the command of Major General Peregrine Maitland, rise as if from nowhere, and shoot them down. And the Garde turns and flees back down the slope.

At this moment, the French have lost the battle.

Wellington waves forward his troops, just as the Prussians break through from the east.

Napoleon rallies the remnants of the Imperiale Garde, south at La Belle Alliance along the Brussels road, and enables his troops to exit the field toward the south and west.

Around 9:30PM Wellington and Blucher meet up on the southern part of the field to seal their victory. The Duke has lost 15,000 killed and wounded; Blucher another 7,000.

Napoleon has lost 15,000 men – and his empire.

As the Coalition army closes again on Paris on June 24, Napoleon abdicates. He surrenders personally on July 22 to the British, seeking “hospitality and the full protection of their laws.”

According to the traditions of the age, Napoleon suffers banishment, this time to the Island of St. Helena, one of the most isolated in the world, off southwestern Africa. He lives there until his death in 1821, presumably of stomach cancer. In 1840 his remains were shipped back to Paris, where he lies in Les Invalides.

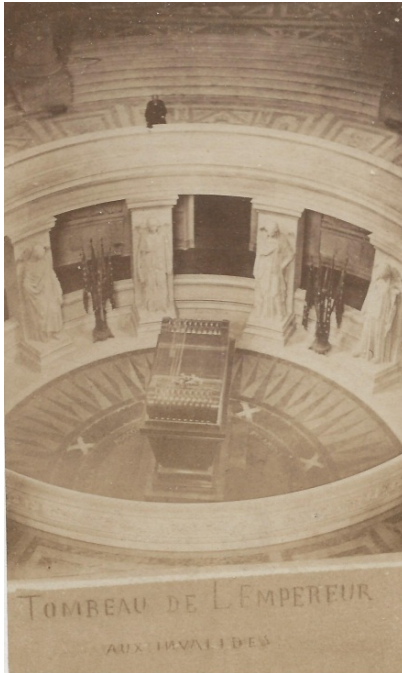
Le jour de gloire has come and gone – for Napoleon and for revolutionary France.

le jour de gloire s'en est allé" the day of glory has vanished

Aside from the United States of America, the rest of the world reasserts the monarchy.

Time:

The World Reshaped after Waterloo



Napoleon's Tomb at Les Invalide Paris

After the turmoil of the French Revolution and the Napoleonic Wars, the monarchs of Europe are eager to restore their authority and permanence by creating a stable balance of power between their nations.

They use the 1814 Congress of Vienna and the 1815 Paris Peace Conference to attempt to achieve these ends.

At the center of the diplomacy lies ongoing fear of France and a wish to contain any further thoughts of expansion on her part.

Within France itself, a “constitutional monarchy” is created under the Bourbon King Louis XVIII, Napoleon and his heirs are banned for life, reparations of 700 million francs are demanded and foreign troops remain on French soil until 1818.

In addition, steps are taken to surround her with more formidable border states:

- To her southwest, along the Pyrenees, the Bourbon King Ferdinand VII is returned to the throne of Spain.
- Her southeastern border with Italy is controlled by the Kingdom of Sardinia/Piedmont backed by Austria which gains control of Milan and Tuscany.
- Directly east of central France lie a jumble of states sharing both French and German roots, including what will become Switzerland, Alsace-Lorraine and Luxemburg.
- But to her northeast lie two sizable forces – the first being the new United Netherlands, with its seven provinces, including the two Hollands, under King William I of Orange.
- And then Prussia, which has traded off some of its claims to Poland to acquire a toehold along both banks of the Rhine River, in the incredibly resource rich Ruhr Valley.

When the Prussian minister Bismarck finally patches together a united Germany in 1867, France will have found a powerful foe all along its eastern border.

What of Britain, Napoleon's original nemesis from the time he came to power?

Their prize is absolute control of the seas with the Royal Navy and of their colonial empire stretching around the globe.

In the end, the French Revolution and the Napoleonic Wars have shaken the monarchical pillars of Europe from Lisbon to Moscow. But, by in large, the work done in 1815 at the Congress of Vienna and The Treaty of Paris deliver relative stability over the next one hundred years.



The Remade Map of Europe after Waterloo and Napoleon's Fall

Chapter 57. Westward Expansion Re-Opens Questions about the Destiny of Blacks in America (1804-1816)



Two Veteran Chimney Sweeps

Sections

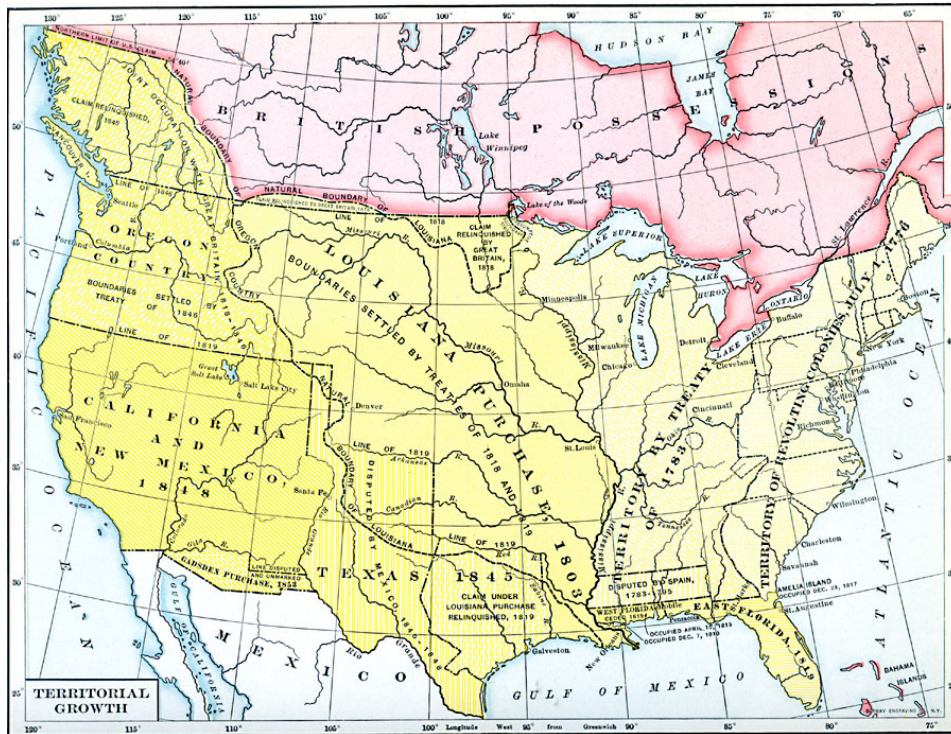
- Westward Expansion Reveals the Depth of Anti-Black Racism across the North
- Ohio Takes the Lead in Trying to “Cleanse Itself” of all Blacks
- Indiana’s Black Codes Follows Ohio’s Lead

Macro-Themes

- Western Expansion
- Daniel Boone
 - Lewis and Clark
 - Zebulon Pike
 - John Jacob Astor
- Anti-Black Racism
- Enslavement in the South
 - Cleansing in the North
 - Ohio’s Black Codes
 - Indiana Petitions against Blacks
- Blacks
- 1813 Indiana State Constitution

Time: 1775-1815

Westward Expansion Reveals the Depth of Anti-Black Racism across the North



Map of US Territories and Expansion Westward

By the time Napoleon's attempt to conquer Europe ends, America's attempt to expand westward is already well on its way.

In 1775 Daniel Boone has crossed the Cumberland Gap into Kentucky in search of creating a 14th colony he calls Transylvania. He is followed in turn by many other western explorers.

The rugged Meriwether Lewis and his aristocratic partner William Clark voyage down the Ohio River, up the Missouri, across the Rocky's and the Columbia River, and to the Pacific in their 1804-1806 expedition.

In 1805 General Zebulon Pike heads north along the Mississippi River to discover its headwaters in Minnesota, followed by his 1806-1807 expedition southwest into New Mexico and Colorado.

To the north, the fur trader, John Jacob Astor, has traversed the Canadian border from east to west, with an outpost established in 1811 on the Pacific coast in Oregon at Ft. Astoria.

By 1815 then, American settlers are primed to pack up their families and possessions and move en masse to the western territories.

This migration brings with it a host of issues for federal officials, beyond surveying, pricing and recording sales of the new lands. The most challenging relates to the process by which a new territory will achieve statehood and, in turn, be admitted to the Union.

As of Madison's first term, a total of four new states have been admitted, west of the Appalachians – Kentucky (1792), Tennessee (1796), Ohio (1803), and Louisiana (1812). Each has reached a threshold population level within its borders, held a convention to draft a constitution, had it approved by a local vote, and applied for acceptance to the federal Congress.

On the surface this process appears clear and simple.

But in practice, the task of arriving at a state constitution forces the settlers in each state to deal with the same thorny issue that almost sabotaged the founding father's efforts in 1787 – namely, how to deal with black people within their borders, be they enslaved or free.

Ironically, resolution proves easy in the South. About-to-be states like Mississippi (1817) and Alabama (1819) will build their economies around the need for enslaved black people – to work their existing plantations, and to be bred for sale to those hoping to start-up new plantations.

This easy reception is not, however, the case in the North.

Instead of welcoming the presence of blacks, northern states from Ohio through Indiana (1816), Illinois (1818) and beyond are almost universally set on "cleansing" them entirely from within their borders.

Time: 1804

Ohio Takes the Lead in Trying to “Cleanse Itself” of all Blacks



Two Veteran Chimney Sweeps

The 1787 Northwest Ordinance of course prohibits slavery in all new states above the Ohio River and east of the Mississippi – and the state of Ohio proves adamant about enforcing this statute.

But prohibiting the institution of slavery does not ban the presence of black people within the state. Southern owners are still allowed to “bring their property” into Ohio, and emancipated or “freed blacks” are allowed to settle within its borders.

Neither of these “exceptions” curry favor with the vast majority of whites in Ohio – and soon after admission to the Union, the state government passes a series of laws designed to make life miserable for its black residents.

These laws become known as “black codes” – and their intent is to drive free blacks out of the state.

This “cleansing” strategy is played out in an 1804 bill requiring that all blacks:

- Produce court papers proving they are free; and
- Post a \$500 bond backed by two people to guarantee their “good behavior.”

Beyond these hurdles and humiliations, free blacks in Ohio experience the same daily deprivations heaped upon their brethren back east – segregation, poor housing, and the lowliest jobs, little to no education.

The message here from white Ohioans is obvious: “blacks keep out.”

It is overlaid by the threat of physical violence, most evident along the banks of the Ohio River, where black refugees from Kentucky – slaves or freedmen – hope to cross to a semblance of freedom.

As one self-defined guardian of the border puts it:

The banks of the Ohio...are lined with men with muskets to keep off emancipated slaves.

Time: 1800-1816

Indiana’s Black Codes Follows Ohio’s Lead

Indiana arrives at its own set of “black codes” after even more contentious internal disputes.

The territory is officially organized on July 4, 1800, with frontier fighter, William Henry Harrison, serving as first Governor from 1800-1812. Harrison grows up on Berkeley Plantation in Virginia, surrounded by slaves. Despite early brushes with Dr. Benjamin Rush and Quaker abolitionists, he

concludes as Governor that Indiana would be more economically attractive to settlers were slavery allowed.

From 1803 onward, he attempts to skirt the sanctions imposed by the 1787 Northwest Ordinance.

White settlers from the South begin to filter into Indiana with slaves in tow. Harrison touts this fait d'accompli to federal politicians, including Jefferson (who opposes it), but still fails to change the law. His next ploy is to recast all of the Indiana slaves as "indentured servants, serving terms of 90+ years."

What follows is an open battle between white factions in the state that will be replicated over the next sixty years as America move west. On one side are southern slave owners who insist on the "right" to bring their "property" with them as they settle. On the other are northern whites who want absolutely nothing to do with any blacks – slave or free – within their state.

The level of anti-black vitriol among the latter group is evident in "petitions" they address to the provisional state legislature at the time:

Your Petitioners also humbly pray that if your hournable boddy think propper to allow a donation of land to Setlers, People of Color and Slaveholder may be debarred from the lands so appropriated.

We are opposed to the introduction of slaves or free Negroes in any shape...Our corn houses, kitchens, ' smoke houses...may no doubt be robbed and our wives, children and daughters may and no doubt will be insulted and abused by those Africans. We do not wish to be saddled with them in any way.

As usual, the Africans are caught in the middle between those whites who wish to treat them as cattle and those who hope they will disappear completely.

By 1810 the population of the Indiana Territory is approaching "admission to statehood" levels, with 23,890 whites counted and 630 blacks – 237 recorded as slaves, 393 as freed.

This leads to a battle over writing a Constitution that includes a direct reference to the "black issues."

With William Henry Harrison off to fight the War of 1812, the thought of converting Indiana into a slave state vanishes, and popular interest shifts to a "cleansing" solution.

In the end, Indiana follows suit with Ohio in its 1816 black codes. These require that all blacks must be able to "show their papers" on demand.

I, Andre Lewis, clerk of the Gibson Circuit Court, hereby certify that Lilly Ann Perry, a negro age 28 years, with light complexion, born in the state of North Carolina, resides now in Gibson, Indiana..

They also include posting of the \$500 bond to guarantee good behavior.

But then Indiana goes even further, piling other constraints on its free blacks – by barring rights to schooling, to testifying in court, to serving in the militia, and to voting.

Henceforth Indiana's free blacks may not be officially declared the equivalent of cattle, but the treatment they receive as state residents mirrors that perception.

Chapter 58. Proposals Appear to Free All Blacks and Re-Colonize Them in Africa (1815-1817)



Dr. J. Richards, Elder in his Church

Sections

- The Black Abolitionist Paul Cuffee Explores Repatriation of the Slaves
- Whites Form the Society for the Colonization of Free People of Color of America
- Black Abolitionist James Forten Favors Assimilation over Repatriation
- Other Free Blacks Regard Colonization as an Injustice

Macro-Themes

Slavery
 Repatriation Schemes
 Paul Cuffee
 American Colonization Society
 Free Black Resistance to Repatriation
 James Forten
 Reverend Richard Allen
 Resolution of the AME Church

Time: December 10, 1815

The Black Abolitionist Paul Cuffee Explores Repatriation of the Slaves

From the inception of slavery in America, some have sought ways to put an end to it.

One of the first is Paul Cuffee (1759-1817).

Cuffee is born in 1759 on Cuttyhunk Island off the coast of Massachusetts. His mother is Native American and his father an African, granted freedom by his Quaker owner. Their values and industriousness shape Cuffee, and prepare him to achieve two lifetime goals: starting up a successful shipping business and reuniting black slaves with their African roots.

His life at sea begins as deckhand on a whaler, shifts to running a cargo boat around Nantucket, and builds over time to ownership of several international merchant ships that make him a rich man, living on the waterfront in Westport, Massachusetts.

With his newfound wealth, he turns toward restoring freedom and dignity to America's slaves.

His travels abroad connect him with freed men in Britain attempting to transport blacks to a new home in Sierra Leone. This crown colony on the west coast of Africa, is first established by the "Committee for the Relief of the Black Poor" in 1787.

In 1810 Cuffee sails to Freetown, the capital of Sierra Leone, to assess progress among the early settlers. He then returns to the U.S. to gather financial support for his own initial transport.

On December 10, 1815, he sets off for a return trip with 38 freed slaves in tow.

With proof of early successes in hand, Cuffee petitions Congress in 1816 for funds to greatly expand the Sierra Leone project, but is turned down.

He continues to search for financial support into 1817, when his health deteriorates and he dies, leaving behind an estate valued at \$20,000 (roughly \$4 million in today's dollars).

What refuses, however, to die with Cuffee are two things: the black man's interest in finding his freedom and roots in Africa and the white man's interest in repatriation as a path to solving the slavery issue.

Time: December 21, 1816

Whites Form the Society for the Colonization of Free People of Color of America

On December 21, 1816, a group of prominent whites back east gather in Washington to form "The Society for the Colonization of Free People of Color of America." The founders include:

- Reverend Robert Finley, a renowned educator and Presbyterian minister, who initiates the idea.
- Speaker of the House, Henry Clay, of Kentucky.
- John Randolph, a Virginia planter and member of the House.
- Richard Lee, Virginia planter, brother of General Harry Lee (whose son is Robert E. Lee).
- Charles Mercer, a Federalist lawyer and member of the Virginia Assembly.

Motivations behind this "American Colonization Society" vary widely.

Some appear to be well intentioned, viewing repatriation as the best hope for gradually ending slavery and giving those freed a decent life back home.

Most, however, are driven by fear and prejudice. An address to the opening session of the ACS sums this up as follows:

We say in the Declaration of Independence that "all men are created equal and have certain unalienable rights." Yet it is considered impossible, consistent with the safety of the State, and it is certainly impossible with the present feeling towards these people, that they can ever be placed upon this equality...while they remain mixed with us. Some persons may call it prejudice. No matter! Prejudice is as powerful a motive, and will certainly exclude them, as the soundest reason.

These proponents see colonization as a way to rid the country of "free blacks" for their own purposes: slave owners to avoid uprisings on plantations in the South: northern whites to achieve the kind of racial "cleansing" being pursued in Ohio and Indiana.

The Society first explores a site in the Sierra Leone area already opened up by repatriation proponents in England -- but it conclude that conditions there aren't viable.

Instead it sends a ship in 1821 to a potential site at Cape Mesurado, just south of Sierra Leone. Once there the voyagers “buy” land from local tribesmen in exchange for trinkets and set up an outpost.

They name the outpost Liberia, and the capital Monrovia, in honor of the American president.

Time: 1813-1842

Black Abolitionist James Forten Favors Assimilation over Repatriation

While an escape to their homeland must find favor among those enslaved, not all freed blacks support the notion of abandoning America.

Opponent of this solution include Cuffee’s long-time friend, James Forten – whose amazing life stands as a symbol of free blacks capable of making their way in a white dominated society.

James Forten is born to free black parents in Philadelphia on September 2, 1766. By age eight, he is attending a Quaker school while working alongside his father in a sail-making business. He volunteers in 1780 to serve in the Revolutionary War, and ends up on a privateer, which is captured at sea by the British. After refusing to pledge allegiance to the crown, he spends eight months on a prison ship before being exchanged.

After the war, Forten works briefly in London’s shipyards before returning home to capitalize on his experience as a sail-maker. He rejoins his old firm in Philadelphia, rises from one job to the next, and in 1798, when the owner retires, he is asked to stay on and oversee the operation.

When Forten devises a new sail that facilitates greater speed and maneuverability, customers begin to flock to his loft. In 1801, at age 35, he becomes its outright owner. His business employs some 30 workers, a mix of whites and black, who are expected to comply with his rigid standards, including punctuality and dedication at work, along with abstinence and regular church attendance.

During the War of 1812, he again exhibits his patriotism by recruiting some 2500 blacks to defend Philadelphia against a possible invasion by the Royal Navy. They construct defensive fortifications along the Schuylkill River and prepare for militia duty.

By the end of the war, the demand for his unique sails makes black James Forten a wealthy man.

Once in possession of capital, Forten follows Alexander Hamilton’s admonitions by leveraging it. In his case this involves investing the money he has made from sail-making in Philadelphia real estate and railroad start-ups, with both rapidly appreciating in value.

But Forten is remarkable not only for his business acumen, but also for his commitment to black freedom and eventual citizenship. After many discussions with Cuffee about repatriation, he decides that America, not Sierra Leone or Liberia, should be the proper home for future generations of blacks. With that goal in mind, he begins to act on behalf of needed reforms here in America.

Like his fellow Philadelphian, the Reverend Absalom Jones, Forten recognizes that influencing the political process will be crucial to bettering the lives of freedmen and slaves.

In 1813 he learns that the Pennsylvania senate is considering a bill mimicking efforts in Ohio and Indiana to effectively “cleanse” the state of its free black population. This would be accomplished through an outright ban on allowing any new free blacks from settling in Pennsylvania. Forten decides to speak out against this act, and he does so by publishing his *Letters From A Man Of Color On A Late Bill Before The Senate Of Pennsylvania*.

The five letters stand as a plea to white men of integrity to abandon their unholy abuses of black people and to grant them the liberty and rights they are due as Americans. In many ways Forten’s sentiments and tonality foreshadow a comparable appeal, sixteen years hence, the Boston freedman, David Walker.

Forten rejects outright the popular notion that blacks are somehow a different species from whites.

Are we not sustained by the same power, supported by the same food, hurt by the same wounds, pleased with the same delights, and propagated by the same means. And should we not then enjoy the same liberty, and be protected by the same laws.—

He finds slavery “incredible” in a nation founded on liberty and fair treatment.

It seems almost incredible that the advocates of liberty, should conceive the idea of selling a fellow creature to slavery...O miserable race, born to the same hopes, created with the same feeling, and destined for the same goal, you are reduced by your fellow creatures below the brute. The dog is protected and pampered at the board of his master, while the poor African and his descendant, where a Saint or a felon, is branded with infamy, registered as a slave, and we may expect shortly to find a law to prevent their increase, by taxing them according to numbers, and authorizing the Constables to seize and confine everyone who dare to walk the streets without a collar on his neck—what have the people of colour been guilty of, that they more than others, should be compelled to register their houses, lands, servants and children.

He hopes that the legislature will be guided by humanity and mercy to correct the suffering of all blacks.

It is to be hoped that in our legislature there is a patriotism, humanity, and mercy sufficient to crush this attempt upon the civil liberty of freemen, and to prove that the enlightened body who have hitherto guarded their fellow creatures, without regard to the colour of the skin, will stretch forth the wings of protection to that race, whose persons have been the scorn, and whose calamities have been the jest of the world for ages. We trust the time is at hand when this obnoxious bill will receive its death warrant, and freedom still remain to cheer the bosom of a man of colour.

Passing the exclusion bill before congress will only increase the sense of degradation that already exists.

Are not men of colour sufficiently degraded? Why then increase their degradation...If men, though they know that the law protects all, will dare, in defiance of law, to execute their hatred upon the defenseless black, will they not by the passage of this bill, believe him still more a mark for their venom and spleen—Will they not believe him completely deserted by authority, and subject to every outrage brutality can inflict —too surely they will, and the poor wretch will turn his eyes around to look in vain for protection.

For the sake of humanity, won’t the white rulers become advocates for blacks rather than add to their despair.

Pause, ye rulers of a free people, before you give us over to despair and violation—we implore you, for the sake of humanity, to snatch us from the pinnacle of ruin, from that gulf, which will swallow our rights, as fellow creatures; our privileges, as citizens; and our liberties, as men!

I have done. My feelings are acute, and I have ventured to express them without intending either accusation or insult to anyone. An appeal to the heart is my intention, and if I have failed, it is my great misfortune, not to have laid a power of eloquence sufficient to convince. But I trust the eloquence of nature will succeed, and the law-givers of this happy Commonwealth will yet remain the Black's friend, and the advocates of Freemen, is the sincere wish of every freeman.

James Forten continues his efforts to prove that blacks can thrive in white society if only given a fair chance. He joins ministers Jones and Allen in supporting The Free African Society, and spends a large share of his fortune paying owners to free their slaves. Before his death in 1842, he also helps the white abolitionist, William Lloyd Garrison, publish his *Liberator* newspaper, and participates in the underground railroad movement to transport run-away slaves to Canada.

In 1833 his wife Charlotte helps found a Female Anti-Slavery Society chapter in Philadelphia, and his legacy as a black abolitionist is carried on by his three daughters.

Time: January 15, 1817

Other Free Blacks Regard Colonization as an Injustice

On January 15, 1817, some three thousand free blacks pack into the Reverend Richard Allen's African Methodist Episcopal Church in Philadelphia to debate and vote on the American Colonization Society's repatriation plans.

Their decision provides a remarkable statement about what the assembly regards as justice for their race.

It begins by citing the vital role that slave labor played in building America and the injustice implied in denying blacks the right to enjoy the fruits of this labor through repatriation.

Whereas our ancestors (not of choice) were the first culttors of the wilds of America, we their descendents feel ourselves entitled to participate in the blessings of her luxuriant soil, which their blood and sweat manured; and that any measure...having a tendency to banish us from her bosom would not only be cruel, but in direct violation of those principles, which has been the boast of the republic.

It then resolves to remain in America, to keep faith with other blacks still enslaved, and to support efforts to gain their freedom.

It is resolved that we never will separate ourselves voluntarily from the slave population in this country; they are our brethren by the ties of consanguinity, of suffering, and of wrongs; and we feel that there is more virtue in suffering privations with them, than fancied advantages for a season.

This outcome represents one more turning point on behalf of black emancipation and assimilation.

Despite this, the American Colonization Society will go forward with its plans. Over the course of the nineteenth century, the ACS will transport some 16,000 blacks to the colony of Liberia -- and in 1847 it will be declared an independent republic.

But the scheme sputters as white proponents find that costs are simply prohibitive – first to purchase the slaves from their owners and then to transport them back across the ocean.

Opposition from free blacks like James Forten, Richard Allen and their followers also eliminates the possibility of using colonization to “cleanse” their cities and frontiers of all people of color.

What remains then for Northern whites who want nothing to do with blacks is to pass ever more burdensome local statutes to discourage new residents and to segregate and punish those already in their midst.

Soon enough the constitutions of new Northern states beyond Indiana will institutionalize anti-black racism, much as that evident in the 1787 federal document.

Chapter 59. Madison Concludes His Second Term (1813-1817)



Nikolaus Lenau (1802-1850)

Sections

- The War of 1812 Adjusts Madison Views on the Army and the BUS
- Growing Financial Concerns Leads to the “Dallas Tariff”

Macro-Themes

Traditional Anti-Federalist Opposition
 - To a Standing Army
 - To a Bank of the United States (BUS)
 - Fears of a Coup and Financial Panics
 Lessons Learned from the War of 1812
 - Importance of Military Readiness
 - Importance of Funding
 - Importance of Stable Currency
 Second Bank of the United States (BUS)
 Dallas Tariff

Time: 1815-1816

The War of 1812 Adjusts Madison Views on the Army and the BUS

Throughout his public life, Madison, like Jefferson, has regarded the creation of a standing army and a Bank of the United States (BUS) as ruinous to all hopes for freedom and democracy.

A standing army represents a weapon by which an aspiring king/dictator can muffle popular political dissent.

A BUS creates a plutocracy in which the king/dictator is beholden for money to an elite core of bank owners – none of whom are elected by the people and some eager to use their “insider power” to line their own pockets.

Herein also lies a formula for government corruption on a large scale, according to Jefferson and Madison.

In making “loans” to fund “federal projects,” the BUS officers will be tipped off in advance of upcoming projects – say to build a road or canal or railroad or bridge that crosses state lines. The logical result of this early, private knowledge is almost certain to be “speculative actions” by the “insiders.” For example, a rush to buy up land required for the projects at low prices and then sells them back to the government at high prices.

Assuming these projects play out as planned, the BUS officials end up with windfall profits, thus increasing their private wealth and power.

That form of corruption is bad enough for the future of democracy, according to Jefferson and Madison.

But it could become lots worse.

For example, if the shape of these projects were to change along the way – say a new route for a road across different land – the BUS’s investment losses could prove staggering not only to the bank owners but also to the general public. It could lead to a spiraling down collapse of the nation’s financial system. For example:

- The BUS sinks public funds into buying land that is suddenly worth less than what it paid.
- Its cash on hand to pay back principal and interest owed to its depositors begins to run out.
- It tries to replenish its cash by selling the original land, but every sale results in a sizable loss.
- Eventually the cash crisis reaches a point where the BUS is unable to make the payments due.
- News of the shortfalls spread, the public loses confidence in all banks, tries to retrieve deposits.
 - Panic runs on all banks break out bring the entire credit system to a halt.

Fear about this kind of corruption and collapse is why Democratic-Republicans have opposed Hamilton’s plans for “multiplying capital” (soft money notes backed by hard gold/silver) and for the federal bank.

The War of 1812, however, forces Madison to reconsider many of his theories about government.

The nation’s military vulnerability evident in the sack of Washington convinces him of the need to strengthen America’s defense posture. On March 3, 1815 he calls for “standing army” of 20,000 troops, a move that is still anathema to many Democratic-Republicans. He also sees the impact that the Humphrey class frigates, built from 1794-1800 by the Federalists, have had on battling the British fleet, and supports more upgrades of the navy.

Likewise he changes his mind about the need for a central bank. As recently as January 15, 1815, Madison vetoes a bill to charter the Second Bank of the United States.

A private central bank issuing the public currency is a greater menace to the liberties of the people than a standing army. (Quote attributed to Jefferson.)

But as 1815 plays out, he sees the post-war effects of currency instability and inflation, and a nation again teetering on the brink of bankruptcy. His new Secretary of the Treasury, Alexander Dallas, of Pennsylvania, a close friend of Albert Gallatin, convinces him to change his mind.

He agrees, and on April 3, 1816, congress to vote in favor of chartering the Second Bank of the United States.

Time: April 27, 1816

Growing Financial Concerns Leads to the “Dallas Tariff”

The new BUS gives the President a way to issue Treasury Bonds, as one source of added revenue. But Dallas tells him that more revenue is needed to cover debts related to the war.

His solution becomes known as the “Dallas Tariff,” a tax to be levied on select goods imported from abroad.

Over time, the Tariff will become a central issue dividing the South from the rest of the country. But when first proposed, under Madison, it easily passes the House on April 27, 1816 by an 88-59 margin.

While Dallas favors a fairly complex framework – varying the duty tax on whether or not US manufacturers could meet the internal demand for a good – the final plan is simple:

- A 25% tax on all cotton and woolen imports; and
- A 30% duty on iron, hats, furniture and fine paper.

This tariff would not only add more revenue to the federal government coffers, but also restore good will among New Englanders by “protecting” their emerging manufacturers.

Both Calhoun, and Clay support the tariff, regarding it as a way to lessen regional tensions without much threat to their own local interests. The Southern view is that its economy -- fueled by cotton and slave sales – is progressing at the moment, the Democratic-Republicans are firmly in control politically, and the tariff is viewed as a temporary measure anyway.

Madison, however, is not about to bend on one principle – what his Constitution says about the powers vested in the States vs. the federal government.

When Calhoun gains congressional support to build a national road using federal funds from the U.S. Bank, the President’s last act in office is to veto it. Infrastructure projects belong with the States, not in Washington.

Madison’s eight years in the White House are now up. They have been consumed largely by the threat and reality of war and with its impact on the economy. As the data on U.S. exports show, he has twice had to resuscitate American trade, first in 1809 after Jefferson’s Embargo Act, and then in 1815, after the end of his own war with Britain. In both instances he has been more successful than not.

Value of U.S. Exports: Before – After Embargo Act of 1807 and War of 1812

	1807	1808	1809	1810	1811	1812	1813	1814	1815	1816
\$ 000	\$108.3	22.4	52.2	66.8	61.3	38.5	28.0	6.9	52.6	81.9
% Ch		(79%)	133	28	(9)	(37)	(27)	(75)	+++	56

The nation’s GDP also experiences a string of dislocations. Domestic activity spikes up in 1813 and 1814, in response to fighting the war, then cools off alarmingly in 1814 and 1815, with the peace.

Changes in GDP during Madison’s Terms

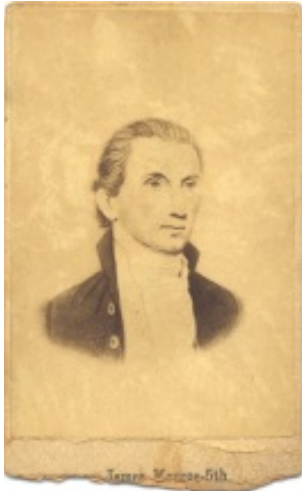
	1809	1810	1811	1812	1813	1814	1815	1816
\$ 000	687	706	767	786	969	1,078	925	819
% Ch	6%	3%	9%	2%	23%	11%	(14%)	(11%)
Per Cap	98	98	103	103	123	133	111	96

After leaving Washington, Madison will live another 17 years, until his death, at 82 years old, in 1836 – the last of the “founding fathers” to pass.

His tobacco plantation at Montpelier has suffered severe financial losses owing to the trade embargoes, and, as his health declines, he obsessives over defining and defending his role in in the founding of the republic.

But here he needn't worry. The nation he helped create is now on the brink of achieving the greatness he imagined in 1787 as the acknowledged "father of the Constitution."

Chapter 60. James Monroe Becomes America's Fifth President (1816)

 <p>James Monroe (1758-1831)</p>	<p>Sections</p> <ul style="list-style-type: none"> • Run-up to the Election of 1816 • Monroe Wins in a Landslide • >The Democratic-Republicans Strengthen Their Control over the House • James Monroe: Personal Profile • Sidebar: For Sale – Monroe's Plantation, Including a Stock of Cattle and Slaves 	<p>Macro-Themes</p> <p>Politics</p> <ul style="list-style-type: none"> - Federalists Lack of Strong Candidates Election of 1816 - Monroe vs. William Crawford - Anti-Virginia Monopoly Concerns - Turn-out Drops From 1812 - Landslide Victory for Democratic-Republicans <p>Presidents</p> <ul style="list-style-type: none"> - James Monroe: Personal Profile
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Time: 1815-1816

Run-up to the Election of 1816

By 1816 both the threat from Britain and the Napoleonic Wars are over – and whatever popular momentum the Federalists were able to generate in 1812, amidst the Embargo and the early set-backs in Canada, is lost to them.

Their desperate ploy of selecting DeWitt Clinton, a Democratic-Republican, as “their” nominee in 1812, leaves them without a vibrant candidate for 1816. Largely by default, they put forward Senator Rufus King of New York, who has already been defeated twice, in 1804 and 1808, for the Vice Presidency.

King’s credentials are actually quite credible. Graduate of Harvard College, a brief militia stint during the first war with Britain, member in 1787 of the Committee On Style that drafted the Constitution, first-rate orator and outspoken opponent of slavery, close ally of that essential Federalist, Alexander Hamilton.

In 1796 Washington offers him the Secretary of State post, which he turns down in favor of the Ambassadorship to Britain. Remarkably when Jefferson becomes President in 1800, he retains King in that critical assignment until 1803.

Along with the 61 year old King, some Federalists put forward 64 year old John Howard of Maryland as a Vice-Presidential candidate. Howard is an ex-Revolutionary War hero, who owns a large slave-holding plantation, has previously served back in 1803 as a U.S. Senator, and appears to have little in common with King.

By contrast, a genuine race for the presidential nomination develops among the Democratic-Republicans.

The hand-picked candidate of both Jefferson and Madison is their fellow Virginian, James Monroe, currently serving as Secretary of State and Secretary of War.

However, the long-term anti-Jefferson faction of the Party decides to contest the top slot. This wing is led by John Randolph of Roanoke, who argues that Madison's policies have become no more than:

Old Federalism, vamped up into something bearing the superficial appearance of Republicanism.

Their option to Monroe is the formidable Georgian, William Crawford, who has served under Madison as Minister to France and Secretary of War.

Crawford is the first of several politicians from his state who will emerge on the national stage with a reputation for arriving at independent positions and promoting them aggressively.

He is another self-made man, growing up in Appling, Georgia, along the eastern border with South Carolina. As a young man he is a farmer and teacher, before receiving a classical education at Carmel Academy under tutelage of the well-known Presbyterian minister, Moses Waddel. He is an excellent student and briefly joins the Academy staff before leaving to teach at Richland Academy, where he also studies law and passes the bar in 1799, at 27 years old. His scholarship on Georgia law and his outgoing personal style carry him readily into politics.

Crawford is physically and verbally a brawny man, and he engages in two bloody duels early in his career, both times involving political rivals backing future Governor John Clark. In 1802 he kills a Clark supporter named Peter Van Allen, and in 1806 is wounded in another duel, by Clark himself.

Later that year he is off to Washington, where he serves as U.S. Senator for six years, and is a popular choice as President pro tem in 1812. Madison appoints him Minister to France in 1813 and then Secretary of War in 1815.

Unlike the Warhawks, Clay and Calhoun, Crawford is initially opposed to fighting another battle with Britain, but his considerable influence in the Senate fails to carry the day. In 1813 he declines Madison's offer to become the new Secretary of War, and instead takes a posting as Minister to France. After the conflict ends, he accepts the War slot, and serves there from 1815 to 1816, after which he becomes Madison's Secretary of the Treasury, a position he will continue to hold over a nine year stretch, until 1825.

Crawford has just begun his new duties when various supporters put him forward as an option to Monroe for the 1816 nomination.

They tend to see in him a commanding presence, inclined to favor "old school" domestic virtues: power to the states over the national government; concerns about a centralized bank; free trade rather than debilitating embargos; limited taxation and Bill of Rights guarantees on freedom; a laissez-faire attitude toward slavery.

Others simply see him as an end to the monopoly that Virginians seem to have on the presidency.

Over time, Crawford's flexibility on many issues will fail to conform to the "assumed preferences" of his backers – but in the 1816 caucus they put up a good fight. In the final balloting for the nomination, he comes up just short, garnering 54 votes against 65 for Monroe.

1816 Presidential Nomination

Candidates	Votes
James Monroe	65
William Crawford	54

As has become the norm by 1816, selection of a running mate for Monroe is more about geographically balancing the party ticket than about lining up a successor for the presidency. If anything, that path for the Democratic-Republicans now runs through tenure as Secretary of State.

The Political Fate of Early Vice-Presidents Vs. Secretaries of State

Year	President	Vice-President	Secretary of State	Presidential Nominee
1788	Washington	Adams	Jay, Jefferson	
1792	Washington	Adams	Jefferson, Randolph, Pickering	Adams in 1796
1796	Adams	Jefferson	Pickering, Lee, Marshall	Jefferson in 1800
1800	Jefferson	Burr	Lincoln, Madison	Jefferson in 1804
1804	Jefferson	Clinton	Madison	Madison in 1808
1808	Madison	Clinton/Vacant	Smith/Monroe	Madison in 1812
1812	Madison	Gerry/Vacant	Monroe	Monroe in 1816

In the end, the party settles on Daniel Tompkins, the sitting Governor of NY, as its nominee. Tompkin’s fame rests on his personal efforts to strengthen the state militia during the War of 1812. Unfortunately this has involved sizable loans to purchase equipment, which he backs against his personal wealth. In the end these bankrupt him and turn him to drink and an early death only three months after his term as Vice-President is over.

Time: November-December 1816

Monroe Wins in a Landslide

Actual voting in the election of 1816 is completed between November 1 and December 4. Popular turnout is down dramatically from the 1812 race which featured intense controversy over both the trade embargos and the war with Britain.

Popular Voting for President & Number of States Where Electors Chosen by their Votes

1788	1792	1796	1800	1804	1808	1812	1816
43,782	28,579	66,841	67,282	143,110	192,691	278,786	112,370
7 of 12	6 of 15	9 of 16	6 of 16	11 of 17	10 of 17	9 of 18	10 of 19

As expected, Monroe wins in a landslide, carrying 16 states, losing only in traditionally Federalist strongholds, Connecticut, Rhode Island, and Massachusetts.

Results of the 1816 Presidential Election

Candidates	State	Party	Pop Vote	Tot EV	South	Border	North	West
James Monroe	Va	Dem-Rep	76,592	183	70	20	82	11
Rufus King + locals	NY	Federalist	34,740	34	0	3	31	0
Unpledged			1,038					
Total			112,370	217	70	23	113	11
Needed To Win				109				

Note: South (Virginia, NC, SC, Georgia, TN, La), Border (Delaware, Maryland, Ky), North (NH, Mass, NY, NJ, Penn, RI, Conn, Vt), West (Ohio, Indiana) Total # electors voting = 217; must get more than half to win = 109.

His margin of victory in the electoral college is well ahead of what Madison accomplished before him, and almost comparable to Jefferson’s victory in 1804.

Winning Margin in Electoral Votes Actually Cast

Year	Candidates	Party	Electoral Votes
1804	Thomas Jefferson	Democratic-Republican	162 of 176/92%
1808	James Madison	Democratic-Republican	122 of 175/70%
1812	James Madison	Democratic-Republican	128 of 217/59%
1816	James Monroe	Democratic-Republican	183 of 217/84%

Time: November-December 1816

The Democratic-Republicans Strengthen their Control over the House

Two new states – Indiana and Mississippi – participate in the election of the 15th Congress. Both end up in the Democratic-Republican column, sending one House representative and two Senators to Washington.

First Time Voting Among New States

Year	South	Border	North	West
1791			Vermont	
1792		Kentucky		
1796	Tennessee			
1803				Ohio
1812	Louisiana			
1816				Indiana
1817	Mississippi			

Overall the election represents the beginning of the death spiral for the Federalist Party in the House. They give back all of the gains they recorded in 1812 and 1814, and end up with only 40 of the 185 total seats.

Election Trends – House of Representatives

Party	1801	1803	1805	1807	1809	1811	1813	1815	1817
Democratic-Republicans	68	102	114	116	93	107	114	119	145
Federalist	38	40	28	26	49	36	68	64	40
Congress #	7 th	8 th	9 th	10 th	11 th	12 th	13 th	14 th	15 th
President	TJ	TJ	TJ	TJ	JM	JM	JM	JM	JM

Democratic-Republican dominance extends across all geographic regions. They continue to “own” the South, losing only a few seats in Virginia and North Carolina. In the North, they win the big states of Pennsylvania (23 seats) and New York (27) by wide margins, and even take 9 of 20 races in Massachusetts.

House Trends by Region

Democratic-Republican	Total	South	Border	North	West
1801	68	30	7	31	
1803	102	42	13	46	1
1805	114	48	13	52	1
1807	116	47	12	56	1
1809	93	41	12	39	1
1811	107	43	12	51	1
1813	114	49	16	43	6
1815	119	51	14	47	7
1817	145	54	16	68	7
Federalists	Total	South	Border	North	West
1801	38	8	4	26	
1803	40	7	3	30	
1805	28	1	3	24	
1807	26	2	4	20	
1809	49	8	4	37	
1811	36	7	4	25	
1813	75	9	9	57	
1815	64	7	7	50	
1817	40	5	5	29	1

The Federalists do better in the Senate. Three states – Connecticut, Delaware and Maryland – remain in their control, and they strengthen their hand near term in Massachusetts, New Hampshire, and Rhode Island.

Election Trends – Senate

Party	1801	1803	1805	1807	1809	1811	1813	1815	1817
Democratic-Republicans	17	25	27	28	27	30	28	26	29
Federalist	15	9	7	6	7	6	8	12	13
Congress #	7 th	8 th	9 th	10 th	11 th	12 th	13 th	14 th	15 th
President	TJ	TJ	TJ	TJ	JM	JM	JM	JM	JM

The Democratic-Republicans continue to shut them out across the South and the West.

Senate Trends by Region

Democratic-Republican	Total	South	Border	North	West
1801	17	10	3	4	
1803	25	10	4	9	2
1805	27	10	4	11	2
1807	28	10	4	12	2
1809	27	10	4	11	2
1811	30	12	4	12	2
1813	28	12	3	11	2
1815	26	12	2	8	4
1817	29	14	2	7	6
Federalists					
1801	15	0	3	12	
1803	9	0	2	7	
1805	7	0	2	5	
1807	6	0	2	4	
1809	7	0	2	5	
1811	6	0	2	4	
1813	8	0	3	5	
1815	12	0	4	8	
1817	13	0	4	9	

Time: 1758-1831

James Monroe: Personal Profile



James Monroe is born on April 28, 1758, in Westmoreland County, Virginia, also the birthplace of George Washington and Robert E. Lee. His roots are considerably more humble than the three other presidents who precede him in the so-called “Virginia dynasty.”

His father, Spence Monroe, inherits some 500 acres of land, and builds a four room wooden cabin on it, which measures a mere 58x20 feet. He and his wife have five children and apparently own “several slaves,” who help him raise tobacco, corn, barley and livestock. The family is considered well off, but by no means aristocratic.

James Monroe works the farm, while also attending Campbelltown Academy, where he is tutored, along with his friend John Marshall, by the Scottish Reverend, Archibald Campbell, of the Church of England. In 1774, his father dies, and, as the oldest son, he inherits the plantation. At this point he also comes under the ongoing influence of an uncle on his

mother's side, Judge Joseph Jones. Jones has served on the Virginia Courts, as a member of House of Burgesses, and later as representative to the Continental Congress. His friendships include Washington, Jefferson and Madison. Jones steers Monroe to enroll at the College of William & Mary.

But his education is interrupted after one year by the war with Britain. His father, Spence, had been outspoken in his criticism of abuses in colonial taxation, and now his son is eager to pick up arms as open conflict begins. He joins the 3rd Virginia Militia and, within two weeks of the Concord battle, he joins a raid on the arsenal at the Governor's palace in Williamsburg. He is seventeen years old at this time.

Monroe's military career will extend over five years. His regiment is with Washington in August, 1776, when British Generals Clinton and Howe almost trap it in Manhattan. He then joins in the long retreat north, then across the Hudson and back south to New Jersey. On Christmas Day, 1776, he crosses the Delaware along with Washington and attacks the Hessians at the Battle of Trenton, where he almost loses his life. A musket ball severs an artery in his shoulder during a heroic assault, and he almost bleeds out before a doctor saves him. Monroe's combat role ends with Trenton, although he does continue to serve in the militia almost until the end of the war.

Monroe's early experiences in life will mirror Washington more so than Jefferson or Madison. His perspectives on America are formed on the battlefield rather than in the library, and they endow him with a bias toward independent thought, leadership and action.

After the war he returns to Virginia, and the need to attend to his personal finances, something that will plague him through-out his life. He picks up the study of law, not out of particular interest, but as a proven path to needed income. His connections result in two distinguished tutors, Jefferson and his former teacher, George Wythe, who has also apprenticed John Marshall, Edmund Randolph and Henry Clay in the law.

In 1783 he sells his inherited farm, passes the bar, and opens a practice in Fredericksburg. But his interest in politics continues. He serves in the state assembly and then as a delegate to the fourth session of the Congress of the Confederation. He is now on the national stage, and focused already on issues of national security and westward expansion that will mark his political future.

There are before us some questions of the utmost consequence...whether we are to have standing troops to protect our frontiers or leave them unguarded...whether we will expose ourselves to the...loss of the country westward...and the intrusion on settlers by European powers who border us.

While in New York at the Congress, he falls in love with Elizabeth Kortright, whose family is prominent in local society. Their marriage in 1786 will span 44 years and produce a son, who dies in infancy, and two daughters.

When time comes for the 1787 Constitutional Convention, Monroe is still "ranked" by other Virginians, and, to his annoyance, is left out of the delegation. His stated views exhibit a streak of political independence. Like the Federalists, he favors a strong central government, and supports its authority to nationalize the militia in times of crisis. But he stands with the Anti-Federalists in demanding the inclusion of a personal Bill of Rights.

Monroe steps up to challenge James Madison, who is eight years his senior, for a House seat in America's first election, in 1788. He loses, but is soon selected as a U.S. Senator in 1790. In Philadelphia, he boards with Madison and Jefferson, and aligns with the Democratic-Republican Party. After four years, he is

entrusted by his old war commander, George Washington, with his first ministerial assignment, to a Paris dominated by Napoleon.

His task there, a thankless one, involves coddling France while his counterpart in London, John Jay, negotiates his Amity Treaty of 1794 with the British. Jay keeps him in the dark from start to finish, and Monroe ends up being humiliated when the French learn of the treaty in the press. The fiercely pro-French Monroe lashes out publicly against Jay, and Alexander Hamilton convinces Washington to recall him. This wound is not forgotten, and Monroe is involved in exposing the “Reynold’s adultery affair” which forces Hamilton to resign in 1795.

He returns home to resume his law career and set up his new plantation called Highland, situated on 1,000 acres immediately adjacent to Jefferson’s Monticello. His true calling, however, is politics, and in 1799 he is elected Governor of Virginia. Then Jefferson becomes president in 1801 and grooms both Madison and Monroe as likely successors. As special envoy to France, Monroe helps negotiate the Louisiana Purchase. He serves as Minister to Britain from 1803-1808, and rejects attempts by an anti-Jefferson wing of the Democratic-Republican Party to have him run against Madison in the 1808 election. Madison rewards his loyalty by naming him Secretary of State, an office he holds from 1811-1817. After the British burn Washington on August 24, 1814, he also assumes the post of Secretary of War until the fighting is over.

In 1816 he is a natural candidate to succeed Madison, and he goes on to complete two terms (1817-25) during a period that becomes known as the “Era of Good Feelings” – despite the nation’s first tremor around the issue of slavery, leading to the 1820 Missouri Compromise. His own recorded thoughts about slavery mirror Jefferson, and he is an early sponsor of the American Colonization Society. The capital city of Liberia, Monrovia, is named after him.

Time: 1809

Sidebar: For Sale – Monroe’s Plantation, Including A Stock of Cattle and Slaves

*LOUDOUN LAND
FOR SALE*

For sale on Thursday, the 21st of December next on the premises, the tract of LAND on which the late Judge Jones resided in Loudoun County with about 25 slaves, and the stock of Horses, Cattle, and Hogs, on the estate. The tract contains nearly 2000 acres [8 km²], and possesses many advantages which entitle it to the attention of those who may wish to reside, in that highly improved part of our country. Two merchant mills are in the neighbourhood, one on the adjoining estate, and the other within two miles [3 km]. It is 10 miles [16 km] from Leesburg, 35 [56 km] from Alexandria and 40 [64 km] from Georgetown. The new, Turn-pike from Alexandria crosses a corner of the land, and terminates at the nearest merchant mill. The whole tract is remarkably well watered, Little river passing through the middle of it, and many small streams on each side emptying into that river. About 50 or 60 acres [200,000 or 240,000 m²] are already well set with timothy, and at least 300 acres (1.2 km²) are capable of being made excellent meadow. It will be divided into tracts of different dimensions to suit the convenience of purchasers. A credit of one, two and three years will be allowed. Bonds with approved security, and a trust on the land will be required. The negroes are supposed to be very valuable, some of them being good house servants, and the others, principally, young men and women. For them the same terms of credit will be allowed, and that of a year for every other article.

N.B. The above lands, being yet unsold, notice is given that they will be disposed of, by private sale, upon terms which will be made known on application to Israel Lacy Esq. of Goshen, Col. Armstead T. Mason, near Leesburg, Maj. Charles Fenton Mercer of Leesburg, or to the subscriber, near Milton in Albemarle county.

*JAMES MONROE.
December, 23d 1809.*