ALBERT GALLATIN AND AMERICAN FOREIGN POLICY: A STUDY IN THOUGHT AND ACTION

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mainly because the European War led to the evolution of an important American neutral carrying trade. Anglo-American relations had deteriorated so badly by 1794 that war seemed imminent. Although peace was preserved by the signing of the Jay Treaty, political warfare exploded in the United States. Republican criticism of the British Treaty failed to stop its ratification. France responded by expanding her harassment of American ships, and a period of quasi-war followed until 1800 when the two nations reached an accommodation. A sudden shift of French policy in 1803 resulted in American acquisition of Louisiana. However, the new territory encouraged the United States to look south toward Spanish territory in Florida. When the Napoleonic Wars reached a stalemate in late 1805, harsh commercial restrictions which threatened to destroy American commerce were adopted by both Britain and France. America responded in December, 1807 with the embargo which was later changed to more submissive measures. Because Britain seemed to violate American interests at so many points war with the former mother country resulted in June, 1812.

Albert Gallatin confronted the major issues which tested American foreign policy in different ways. During his Congressional years he opposed the Jay Treaty and refused to admit that a crisis with France existed. As Treasurer his views changed. He supported the use of force to seize Louisiana if necessary. While he worked to restrain Jefferson in Florida, he favored war against

ABSTRACT

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FOREIGN POLICY: A STUDY
IN THOUGHT AND ACTION

by James Alexander Boxall, Jr.

Albert Gallatin, Republican Congressman 1795-1801, Secretary of the Treasury 1801-1813, and American diplomat 1813-1827, was one of the most significant public figures of his time. Although most historians agree on Gallatin's contributions as a financier, few acknowledge his influence upon American foreign policy prior to 1813. This study is concerned with two aspects of Albert Gallatin's relationship to American foreign policy 1795-1812: his suggestions for and criticisms of American policy and the influence he exerted upon the adoption of various courses of action.

The Albert Gallatin Papers at the New-York Historical Society, the Thomas Jefferson Papers in the Library of Congress, and the James Madison Papers at the Library of Congress constitute the major sources of this investigation. In addition, the Annals of Congress served as a major source for the study of Congressional opinion, and the American State Papers outlined the course of American foreign relations.

For most of the time between 1795 and 1812 the United States was deeply involved in foreign affairs

mainly because the European War led to the evolution of an important American neutral carrying trade. Anglo-American relations had deteriorated so badly by 1794 that war seemed imminent. Although peace was preserved by the signing of the Jay Treaty, political warfare exploded in the United States. Republican criticism of the British Treaty failed to stop its ratification. France responded by expanding her harassment of American ships, and a period of quasi-war followed until 1800 when the two nations reached an accommodation. A sudden shift of French policy in 1803 resulted in American acquisition of Louisiana. However, the new territory encouraged the United States to look south toward Spanish territory in Florida. When the Napoleonic Wars reached a stalemate in late 1805, harsh commercial restrictions which threatened to destroy American commerce were adopted by both Britain and France. America responded in December, 1807 with the embargo which was later changed to more submissive measures. Because Britain seemed to violate American interests at so many points war with the former mother country resulted in June, 1812.

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Britain rather than a permanent embargo in 1808. Later he attempted to avoid complete submission, and when the national mood changed he resigned himself to war. From 1795-1812 Gallatin advised both Jefferson and Madison on foreign affairs. On many occasions his advice helped modify policies, but he was frequently overruled. As a loyal member of the administration he faithfully implemented even those policies he found most distasteful. Gallatin approached questions of foreign relations judiciously and with as little bias as could be expected. As Treasurer he tried to reconcile domestic policy and foreign affairs by working for peace consistent with American national honor. An idealist at heart in time of crisis he exhibited a tough textured realism.

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INTRODUCTION

I was introduced to Albert Gallatin during my first graduate reading course, an inquiry into American foreign policy 1789-1812. At that time I was impressed with Gallatin's astute observations and recommendations concerning American foreign policy when he was Secretary of the Treasury in President Jefferson's cabinet. Three facets of Gallatin's approach to policy formulation struck me as especially important. First, he was very careful to gather all facts relevant to a problem before rendering an opinion. Secondly, he was systematic and consistent in his analysis of a prospective policy. Finally, he cut through the partisan rhetoric of the day and came to grips with the heart of the problem he was considering. As outstanding as these traits were my intellectual interests shifted to another phase of American diplomatic history in subsequent stages of my graduate career.

Not until I was engaged in a thorough study of American foreign policy in the two decades following World War I, considered by many observers as the apogee of American "isolationism," did my interests and thoughts return to the formulative period of American diplomatic history. At this point two ideas struck me. First, one could not deal adequately with the problem of American "isolationism"

without studying the early period of America's national history in some depth, for it was during this early period that the so-called "isolationist" policy was forged. Secondly, the term "isolationism" as applied to the early national period, or indeed to any period of American history, is a misnomer. From the inception of the Republic in 1776 the United States engaged in relations with foreign nations; the term "isolation" meant no more than an aversion to political and military alliances. These considerations led me to recommit my intellectual career to a study of the period from 1789 to 1815 when foreign affairs played such a crucial role in the life of the republic.

During the early national period Washington, Hamilton, Adams, Jefferson, and Madison were the leaders of the nation. Their deeds are widely known and appreciated. However, no conscientious student of the Jeffersonian period can ignore the contributions of Albert Gallatin, for it is hard to imagine how Jefferson and Madison could have proceeded without him. Yet Gallatin's role in American history, while generally well known to serious students and scholars, is virtually unknown to the public. Many reasons can be found for this widespread ignorance of Gallatin. He was never President or even Secretary of State. He was not as colorful as many of his contemporaries. Probably the best reason for his obscurity is that his personal papers remained closed for almost seventy years after the Gallatin family allowed Henry Adams to use them. Perhaps this last reason best explains why Gallatin's role in helping to

shape American foreign policy prior to the War of 1812 is not sufficiently appreciated even among professional historians.

The major thesis of this study is that throughout the period 1795-1812 Albert Gallatin exhibited three highly significant characteristics when considering problems of foreign relations. First, he was careful to marshall all relevant facts prior to making an analysis, expressing an opinion, or forwarding a recommendation. Secondly, he was systematic, logical, and consistent in his scrutinization of a prospective policy. Finally, he ruthlessly, almost bluntly, cut through peripheral matters to reach the heart of the problem he was considering. There are also several minor threads which must be considered when discussing Gallatin's foreign policy. He was acutely aware of the relationship between domestic and foreign affairs. He frequently alluded to these connections, and his foreign policy bears the sign of this inter-relationship. Moreover, Gallatin frequently combined realistic and idealistic strains of thinking in forging a policy.

Before embarking upon an analysis of Albert Gallatin's role in foreign policy it would be well to place the international position of the United States in an historical perspective. One of the predominant realities today is the division of the world into three camps: the Western World led by the United States, the Communist World with the Soviet Union and China contending for leadership, and the "Third World" consisting of the uncommitted

nations of Asia, Africa, and Latin America. The gigantic struggle for political freedom and economic advancement which this large bloc of uncommitted nations are waging is being conducted in the cross-fire between the Western World and the Communist World. At the same time while the "Third World" may accept economic aid from either or both sides, there is a genuine desire for independence of action. In other words, most states in the "Third World" want no military or political commitments to either of the contending factions. Often this desired status of "non-alignment" is difficult to achieve because economic pressures or economic attachments may tend to impinge on a nation's political independence.

Although conditions were different, similar problems present themselves in the study of this period. Then the independent nations of the world seemed to be divided into three camps: the French nation, her opponent's led by Britain, and the young republic on the other side of the Atlantic. The United States occupied a position similar to today's uncommitted states, for she believed in commercial relations with all nations but political or military involvements with none. Prior to 1801 the conflict between the terms of the French Alliance of 1778 and economic ties to Great Britain posed a dilemma for the United States. However, after the recommencement of the Napoleonic Wars in 1803 the American position became more difficult, for she found that neutral rights were often disregarded by both sides. How to preserve her neutral status,

retain her independence, and remain at peace was as great a problem for the United States in the early years of the nineteenth century as it is for the non-aligned nations today.

CHAPTER I

FROM GENEVA TO PHILADELPHIA: THE MAKING OF AN AMERICAN

Albert Gallatin's family had ancient roots both in Europe and in Geneva. The Gallatins of Geneva could trace their heritage as far back as the thirteenth century, but until the first years of the sixteenth century the Gallantini family, as they were known then, resided in Savoy. In 1510 Jean Gallantini took up citizenship in Geneva. After the establishment of Geneva as a republic in 1535 the Gallatins played a prominent role in the history of the city-state. Five members of the family served as first syndics, chief magistrate of the republic. Others were clerics and professors at the local college. Still others went abroad in the service of their native state.[1]

By the middle of the eighteenth century four branches of the Gallatin family lived in Geneva. One was headed by Abraham Gallatin who had prospered largely as a result of his marriage to Louise-Susanne Vaudenet, the daughter of a wealthy Geneva banker. Mme. Gallatin-Vaudenet had two daughters and a son, Jean who was born in 1733. Jean be-

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[1]Henry Adams, The Life of Albert Gallatin (Philadelphia: J.P. Lipincott and Co., 1879), pp. 1-3; Raymond Walters Jr., Albert Gallatin: Jeffersonian Financier and Diplomat (New York: The Macmillan Company, 1957), p. 1.

came a partner with his father in the family business, selling timepieces, and married Sophie Albertine Roloz du Rosey in 1755. Jean and Sophie had two children, Susanne born in 1756 and Abraham Alphonse Albert born January 29, 1761 and known to history as Albert Gallatin.[2]

Young Albert experienced an unusual childhood. His father died in 1765 when he was only four years old, and his mother assumed her late husband's share of the family partnership. It soon became apparent that she could not do justice to the family business, care for her daughter who had been perpetually ill since birth, and be a good mother to Albert. Thus on January 8, 1766 Albert went to live with Catherine Pictet, a maiden lady of about forty, and a close friend of the family. In 1770 Albert's mother died, and in 1777 his sister passed away from a nervous disease. Albert lived with Mlle. Pictet and was privately tutored until he was twelve. Then in January, 1733 he entered the College of Geneva boarding with a master, and in August, 1775 he matriculated at the Academy of Geneva. During his school days a sizeable part of his expenses were paid by the Bourse Gallatin, a trust that had been established by one Francois Gallatin near the end of the seventeenth century "for the Aid and Relief of the members of the family."[3]

Gallatin's education prepared him well for his future in public service. The College of Geneva stressed

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[2]Walters, Gallatin, pp. 1-2.

[3]Ibid., p. 2; Adams, Life of Gallatin, pp. 10-11.

classical languages and literature. A student with the tough intellectual fibre which Gallatin possessed thrived, for the classics were taught without notes or translation. At the Academy Albert followed a curriculum known as the "belles-lettres" which included lectures in the classics, history, and philosophy. At the close of the school year each student received a public oral examination conducted in Latin. Gallatin found the exams severe but fair and observed that most American colleges followed the same system of promotion.[4]

In May, 1779 Albert completed his fourth year at the academy and faced the problem of choosing a career. The number of occupations that were open to a young person of Gallatin's ability and temperament were indeed restricted. The small population and limited resources of Geneva constituted one reason why so many young sons of this proud and independent city-state had emigrated. The Geneva Academy offered training for two professions, the clergy and the law. Young Albert was too fond of independent speculation and too humanistic in spirit too consider the first alternative. While law held some attraction the prospects for making anything above a subsistance living at this occupation in Geneva were dim. Therefore as Gallatin reflected on this problem he became convinced that he too probably would have to leave Geneva to make his place in the sun.[5]

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[4]Walters, Gallatin, pp. 5-7. [5]Ibid., pp. 7-8.

For almost a year Albert avoided a decision. After completing his formal education he tutored Mlle. Pictet's nephew, Issac Pictet, in a number of subjects including English. He enjoyed this rather easy-going life which allowed him to read widely and think speculatively. However, several considerations brought the situation to a head and led to Gallatin's decision to leave Geneva. At the Academy Albert had become very friendly with several young visionaries who were highly imbued with the philosophy of Jean Jacques Rousseau. Allowing romantic thoughts to rule their thinking Albert and his friends found many drawbacks to Geneva. Moreover, Albert's grandmother had already selected his occupation, and she tried to coax him to follow her advice. She wanted him to take a commission as lieutenant-colonel in the military service of the Landgrave of Hesse, whose troops were fighting against the American colonists. Such a suggestion was anathema to a nascent democrat, and Albert told his grandmother rather bluntly that he did not want to fight for a tyrant. His dependence upon others and especially upon his guardian Mlle. Pictet also irked him. Thus a combination of factors led Albert to seek out his two romantic friends, Jean Badollet and Henri Serre, who also yearned to escape from Geneva.[6]

The three young romantics met often and planned their future outside of Geneva. These talks increasingly turned to the possibility of going to America. They were not at

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[6]Adams, Life of Gallatin, pp. 16-18; Walters, Gallatin, p. 9.

all sure of what they would do when they reached the distant shore of the Atlantic, but they were fervently desirous of going to the land of hope and opportunity in the New World. Because of family affairs Badollet could not leave Geneva, but Serre and Gallatin decided to proceed with their plan. It was understood that Badollet would join them as soon as possible.[7]

On April 1, 1780 Gallatin and Serre secretly left Geneva. Nobody knew of their plans for fear they would be stopped. They passed through France and made their way to the Atlantic port of Nantes where they arranged for passage to Boston on board the American vessel Katty. While waiting to embark the two adventurers bought some tea hoping to sell it at a profit in America. On May 27, 1780 the Katty set sail across the Atlantic, and Albert Gallatin left his native continent not to return for thirty-three years.[8]

Gallatin's family disapproved of his decision to leave Geneva. Both his family and Mlle. Pictet tried to persuade him to return. Unfortunately none of Gallatin's letters in his defense are preserved, and it is impossible to trace his thinking. Although downcast, Gallatin's family made great efforts to secure the best for him once he got to America, writing to every person who might ex-

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[7]Walters, Gallatin, pp. 5-7.

[8]Albert Gallatin to Jean Badollet, May 16, 1780, Albert Gallatin Papers, New-York Historical Society. Cited hereafter as Gallatin Papers; Walters, Gallatin, p. 10.

ercise influence there.[9]

After a long journey which lasted forty-nine days the Katty landed at Cape Ann in Massachusetts on July 15, 1780. Gallatin and Serre proceeded to Boston where they made the acquaintance of a Frenchman named Tahon who kept an inn "At the Sign of the Confederation." Through Tahon they were introduced to a married couple named Delesdernier who were also emigres from Geneva. With the exception of these two pleasant contacts the two young adventurers found conditions in Boston dismal. Their slight knowledge of English made selling their tea very difficult. Nor did the unstable economic conditions imposed by six years of war help their entrepreneurial aspirations. Moreover, they found the atmosphere far from congenial, for most Bostonians had little respect for Frenchmen or even those who spoke the French language. Furthermore, Boston's puritanical atmosphere disturbed Gallatin who found that city a frightfully boring town which reminded him too much of Geneva. For these reasons Gallatin and Serre decided to leave Boston in the fall.[10]

From Boston the two young Genevans journeyed northward with the Delesderniers. They located in northern Maine at the settlement of Machias which has one hundred-fifty people living in a ten square mile area. Conditions

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[9]Adams, Life of Gallatin, pp. 19-24; Duc de Rochefoucauld d' Enville to Benjamin Franklin, May 22, 1780, Gallatin Papers; Franklin to the Duc de la Rochefoucauld d' Enville, May 24, 1780; Adams, Life of Gallatin, p. 24.

[10]Walters, Gallatin, p. 11.

in Maine, while quite different from Boston, were not much more promising for Gallatin and Serre. The constant threat of attack by the British hung over the settlement. Few opportunities for trade existed because goods and money were scarce. Despite the rudimentary conditions the two young Genevans decided to test their romantic ideas about farming. Thus they spent one year at Machias. In late fall, 1781, when both their resources and prospects were dubious, Gallatin and Serre heard of the decisive American victory at Yorktown. Not being able to face the prospect of another winter in Maine they went back to Boston to wait for spring and new opportunities.[11]

Gallatin remained in Boston from the winter of 1781 until the summer of 1783. At first both he and Serre tutored on a casual basis. On July 2, 1782, largely through the efforts of Catherine Pictet, who had influential Genevans contact friends in Boston, Albert Gallatin was appointed as a tutor at Harvard College. Remaining in this capacity until the summer of 1783 he taught French to students on an individual basis. During his stay at Harvard the hope of discovering a rustic paradise in America was rekindled, for he met a dreamy Frenchman Jean Savary de Valcoulon. Savary was an agent of one Rene Rapicault, a Frenchman who had advanced money and supplies to the state of Virginia during the Revolutionary War. Gallatin accompanied Savary southward on a business trip beginning on

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[11] *Ibid.*, pp. 12-13.

July 11, 1783. They traveled slowly and passed through Providence, Newport, New York, Trenton, and finally terminated at Philadelphia.[12]

While they were in Philadelphia Gallatin told Savary of his aspirations to become a farmer and a land promoter. Philadelphia was a most congenial place for men with such ideas, for the capital of the Confederation was saturated with both news and rumors of opportunities for speculation in western land. From what he heard Gallatin became convinced that the best place for such an enterprise was along the Ohio River and its tributaries. Although he thought the land north of the Ohio River would be best, it had not been officially opened for settlement. However, the state of Virginia had already offered its holdings south of the river for sale, and it was against Virginia that Rapicault, whom Savary represented, held claims. Hence the two would-be entrepreneurs easily secured title to about one hundred thousand acres of land in the Ohio River Valley. After negotiating this deal in Philadelphia the two partners moved to Richmond where they spent the winter preparing for an expedition to inspect their holdings as soon as spring arrived.[13]

In April, 1784 Gallatin and Savary crossed the Allegheny Mountains for the first time. They spent the summer trying to locate their property in Monongalia County, Virginia. After careful inspection they concluded

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[12] *Ibid.*, pp. 14-15. [13] *Ibid.*, pp. 15-16.

that the land in this county was too mountainous and not fertile enough to be a good area for settlement. However, just north of Monongalia in Pennsylvania's Fayette County they found the kind of land they sought. Within this terrain lay George's Creek, an artery which flowed into the Monongahela River and appeared to link the Ohio and Potomac Rivers. If so this land would be located on an important transportation route between the Ohio Valley and Richmond. Five months of exploring the frontier exhausted Gallatin's romantic streak, and he turned to the practical problem of making a living. Accordingly he concluded arrangements with Thomas Clare, a local farmer, to establish a store on Clare's land in order to sell goods to pioneers passing through the territory on their way west.[14]

Gallatin and Savary spent the winter of 1784-1785 in Richmond, but in the spring of 1785 they returned to the frontier. In June the two established what was to be a permanent settlement known as Friend's Landing. This settlement was short-lived as Indian depredations in the fall caused the project to be abandoned. Not to be deterred, in the late fall of 1785 Gallatin and Serre established a settlement on George's Creek, not far from the Monongahela River. As further proof of his determination to link his destiny to the western country Gallatin journeyed to Morgantown, Virginia, the seat of Monongalia County and took "the Oath of Allegiance and Fidelity to the Commonwealth

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[14] Ibid., pp. 17-18.

of Virginia." Under the Articles of Confederation American citizenship was granted through the states, and Gallatin selected Virginia rather than Pennsylvania because his future speculation projects involved Virginia. Thus he believed citizenship there would benefit his anticipated ambitions.[15]

Gallatin and Savary returned to Richmond in November, 1785, but Gallatin returned alone to George's Creek in February, 1786 to purchase a four hundred acre lot just south of the creek on the Monongahela. He named this picturesque property which became his permanent residence "Friendship Hill" probably in token of his esteem for Serre, Savary, and Badollet. Soon Gallatin's dream of making his farm a center of activity for his friends vanished. Serre died in Jamaica, and Savary decided that business prospects in Richmond were more agreeable to his temperament than frontier life. However, Gallatin's Genevan friend, Jean Badollet, did come to America and settled on a farm near Friendship Hill.[16]

During the next three years Gallatin settled into a fairly regular pattern of life. He spent the summers at Friendship Hill where he ran his store, farmed on a small scale, and indulged himself in reading and reflection. He spent the winter in Richmond, Philadelphia, and New York conducting land transactions. He also did some traveling, and evidence indicates that he went as far north as Maine

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[15] Ibid., pp. 18-21; Albert Gallatin, "Oath of Allegiance," October, 1785, Gallatin Papers.

[16] Walters, Gallatin, p. 21.

in 1788. During this period Gallatin continued to receive regular correspondence from Catherine Pictet still advising him of the error of his ways. On the other hand, few people heard from Gallatin during his journeys into the interior, and it was once feared that he had been the victim of Indian hostility.[17]

Prior to August, 1788 Gallatin sat on the sidelines of American political life. All this changed with the ratification of the Constitution by Pennsylvania in 1788. Widespread sentiment in western Pennsylvania thought that the Constitution was undemocratic and too centralized. Therefore dissatisfied local politicians organized a meeting at Uniontown, the county seat, to recommend means to make the Constitution "less objectionable." The Uniontown meeting was to elect two delegates to a statewide meeting at Harrisburg where amendments to the new Constitution would be drawn up. As an interested citizen sympathetic to his area's grievances Albert Gallatin went to Uniontown. There Gallatin, a mere political novice, mixed with the veteran politicians of Fayette County. Surprisingly enough he was elected as one of the two members to represent his district at the Harrisburg meeting.[18]

While Albert Gallatin undoubtedly was one of the least experienced men of the thirty-nine who gathered at

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[17] Ibid., pp. 21-23.

[18] Nathaniel Breading, et. al., "Certifying Albert Gallatin and John Smilie as Fayette County Representatives," August 18, 1788, Gallatin Papers.

Harrisburg on September 3, 1788, he nevertheless played a very large role in this meeting. Prior to the gathering he had framed a series of resolutions which declared that a new and early convention of all the states to revise the Constitution was necessary to prevent the dissolution of the Union and to secure the liberties of Americans. Among Gallatin's papers several long memoranda indicate that he found fault with many provisions in the Constitution. At this point Gallatin was a strict constructionist. He wanted little leeway left for interpreting the Constitution's powers. For example, taxes should be specifically fixed by the Constitution. The time and place of elections should be clearly spelled out in the fundamental law. The "Necessary and Proper Clause" was too vague. He favored restricting the Executive to the enforcement of existing laws only. These ideas placed Gallatin in the radical minority. However, he quickly sensed the more moderate tone of the majority and modified his position. Thus he submitted a drastically revised set of resolutions in place of his original propositions. Both his speech and his resolutions reflected close study of ancient, modern European, and American government. Yet, even with wholesale revisions, Gallatin's resolutions were far too drastic for the delegates at Harrisburg.[19]

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[19]Albert Gallatin, "Reflections on the U.S. Constitution," 1788; Gallatin memorandum, "Problems of the Constitution," 1788, Gallatin Papers; It is interesting to compare Albert Gallatin, "Draft of a Statement on the U.S. Constitution," n.d., Gallatin Papers with Gallatin memorandum, "Record of the Resolution of the Harrisburg Conference," September 3, 1788, Gallatin Papers, to note the

The Uniontown and Harrisburg meetings marked an important transition in Gallatin's career. His participation in these convocations launched his career in public affairs. He had clearly articulated his many misgivings about the Constitution. In addition, he had met political leaders from all over Pennsylvania. Also he had identified himself with the dominant sentiments of western Pennsylvania.[20]

Nascent political interests were not the only matters on his mind in the late 1780's. Having settled at George's Creek Gallatin began to feel the need for a wife. He was attracted to Sophie Allegre, the daughter of the proprietess of the Richmond boarding house where he stayed during the winter. Although enchanted, Gallatin had been too shy to make his affection known. Summoning his courage he proposed in the spring of 1789, and on May 16 Albert and Sophie were married without the blessings of Sophie's mother who considered her son-in-law "a man without accomplishments or fortune." In late May Gallatin took his bride west to Friendship Hill where she contracted a fatal illness and died in October. Gallatin was broken-hearted and morose.[21]

Pennsylvania politics helped draw the grieving widower back into public life, for the state assembly called a convention to revise the state constitution which had been promulgated in 1776. While Sophie lived Gallatin strongly opposed the convention, and he expressed his sentiments to

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many changes made in Gallatin's original idea.

[20]Walters, Gallatin, p. 30 [21]Ibid., pp. 23-25.

the leading politicians. Forces which Gallatin's opposition could not deter were at work, and the convention was held. Chosen as a delegate from Fayette County, Gallatin accepted perhaps because he desired an escape from his grief. On the whole he played a rather minor role at this convention, but he campaigned for a number of changes. He argued for an enlargement in the number of members of the Assembly. He supported direct popular election of state senators. He defended liberty of the press. Unquestionably the most important reform he championed was a liberalization of the suffrage. According to Gallatin's plan every "freeman who had attained the age of twenty-one years and had been a resident and inhabitant during one year before the day of election," every naturalized freeholder, every naturalized citizen who had been assessed for State or County taxes for two years before election day or who had resided ten years successively in the State should be allowed to vote. Only paupers and vagabonds would be excluded. Surely one must classify Gallatin as an advanced democrat using support for universal white male suffrage as a yardstick. Looking back on this convention which produced the Pennsylvania Constitution of 1790 in the twilight of life, Gallatin concluded that it was one of the ablest bodies to which he ever belonged. Because of his strong support for liberal reform measures Gallatin became even closer identified with the democratic political group.[22]

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[22]Albert Gallatin, "Draft of a Speech in Constitutional Convention, 1790; Gallatin memorandum, "Notes on Discussion of Suffrage," 1790; Gallatin memorandum, "Notes

No sooner had Gallatin concluded his service at the constitutional convention than he was elected to the state legislature as assemblyman in the fall of 1790. He was re-elected in 1791 and 1792. Quickly he became one of the pillars of the assembly. In the 1790-1791 session he was placed on twenty-seven committees, and in the second session, 1791-92 he served on thirty-five committees. Under these conditions Gallatin acquired an extraordinary influence in the Pennsylvania Assembly.

Committee assignments tell only part of the story, for in almost every case Gallatin drew up the bills these committees presented and prepared their reports. Gallatin's continued democratic proclivity is demonstrated by the measures he championed. He urged the establishment of internal improvements including enhanced water and land communications. The restoration of Pennsylvania's fiscal integrity constituted his most important contribution. In the 1790-91 session Gallatin helped execute fiscal reform. Paper money was extinguished, and all treasury expenses were paid for in specie. A state bank, the Bank of Pennsylvania, was chartered by the legislature in order to employ the surplus funds created by a boom in the public land sales. Almost as important as his accomplishments was the manner in which he conducted himself, for all his activities in the assembly were businesslike, and conducted with non-partisan objectivity.[23]

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on Election of Senators," 1790, Gallatin Papers; Adams, Life of Gallatin, pp. 79-83.

[23]Gallatin memorandum, "Committee Book Session,"

During his first years in the legislature a series of events occurred which Gallatin later had reason to regret. The federal excise tax on whiskey passed by Congress in March, 1791 caused Gallatin's discomfort. In western Pennsylvania whiskey was the only currency that most farmers possessed because they used that commodity for barter. Therefore western Pennsylvania was against the excise almost to a man. Although Gallatin did not own a still and had less material interest than many of his neighbors, he opposed the federal excise as both unconstitutional and unfair. During the summer of 1791 he became convinced that few of his western neighbors intended to submit to the hated tax. In July Gallatin received a letter from James Marshel, the register of Washington County, inviting him to a meeting which would "state to the people at large some general objections to the Said Law and propose some plan by which their sense on that subject may be fairly collected and stated to the General Government."[24] When Gallatin decided to attend the meeting held at Redstone Old Fort on July 27, 1791, he embarked on a course which he later regretted. At this meeting Gallatin acted as clerk, and a resolution was passed that declared the excise to be unequal, immoral, dangerous to liberty, and oppressive to the inhabitants of the western county.

1790-1791, Gallatin Papers; Adams, Life of Gallatin, pp. 84-86; Walters, Gallatin, pp. 38-49.

[24] Walters, Gallatin, pp. 45-46, 65; James Marshel to Albert Gallatin, July 16, 1791, Gallatin Papers.

During the fall and winter of 1791-1792 opposition to the excise shifted from rational protests to violent action as hotheaded agitators led by James Marshel and David Bradford, a young Washington County lawyer, took matters into their hands. Three men were tarred and feathered for aiding the enforcement of the law, and a Washington County excise Collector's office was ransacked. Gallatin condoned this violence, and the following August 21 he served as clerk at a Pittsburgh meeting of anti-excise politicians. There a far reaching resolution was adopted which unanimously singled out excise revenue collectors as "unworthy of friendship" and condemned them both to a social and economic isolation. Moreover, the resolution invited the populace to treat them "with that contempt they deserve." The meeting also drafted a petition to Congress which included much more moderate language resembling the resolutions at the Redstone Old Fort a year earlier and Gallatin's arguments in the legislature. Unfortunately this petition never reached Congress, and the Pittsburgh meeting was known by its resolution which incited the people to possible violence.

Shortly after the Pittsburgh meeting Gallatin realized his great mistake: " . . . we are generally blamed by even our friends for the violence of our resolutions at Pittsburgh," he wrote to his friend John Badollet, "and they have undoubtedly tended to render the Excise law more popular than it was before." On the same day he wrote to Thomas Clare: "To everybody I say what I think

on the subject, to wit that our resolutions were perhaps too violent and undoubtedly highly impolitick, but in my opinion contained nothing illegal." Thus long before Gallatin made his public confession to the Pennsylvania Assembly in January, 1795, referring to his action at Pittsburgh as "my only political sin" he made his private misgivings known to close friends.[25]

Gallatin's part in the early whiskey excise tax opposition did not materially affect his political fortunes. In gratitude for his yeomen service in the legislature and out of respect for his ability a Federalist legislature on February 28, 1793 elected him United States Senator. This was neither a post that Gallatin sought nor one that his friends tried to obtain for him. Nevertheless, to the credit of Pennsylvania politics, party allegiance did not prevent the election of an eminently well qualified man. Gallatin accepted this honor only because he was finally convinced that no other man of true republican principles could be elected.[26]

During 1793 Gallatin's private life was transformed. Work in the Pennsylvania legislature consumed Gallatin's time and energy until June when his Philadelphia friend,

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[25]Gallatin memorandum, "Broadside Against the Excise Tax," August 22, 1792; Gallatin memorandum, "Petition Against the Excise," 1792; Albert Gallatin to John Badollet, December 18, 1792; Albert Gallatin to Thomas Clare, December 18, 1792, Gallatin Papers.

[26]Gallatin memorandum, "Certification of Election to U.S. Senate," February 28, 1793; Albert Gallatin to John Badollet, March 9, 1793; Albert Gallatin to Thomas Clare, March 9, 1793, Gallatin Papers.

Alexander J. Dallas, persuaded him that he needed some relaxation. Dallas, his wife, Gallatin and another friend went on a pleasant trip including stops at Pabjack Falls in New Jersey, New York, and then by water up the Hudson River to Albany. This journey which consumed four weeks left Gallatin in better spirits and health than he had been in several years. During the trip the Senator-elect became entranced with Hannah Nicholson, a friend of Mrs. Dallas's who had joined the party in New York. Gallatin was so fascinated with Miss Nicholson that he proposed marriage in July.[27]

Hannah Nicholson was the daughter of a retired Navy Captain, Commodore James Nicholson who had served in the American Revolution. Hannah's father was an active Republican in New York City, and his house was a frequent meeting place for the leaders of that political persuasion. Thus Albert's new family was acquainted with Aaron Burr, the Livingstons, the Clintons and many others. Coming from these surroundings it is not surprising that she was "a pretty good democrat." Her frontiersman husband also found that she was "what you will call a city belle" and "has always lived in a sphere where she has contracted or should have contracted habits not very well adapted to a country life, and especially to a Fayette County life."[28]

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[27]Albert Gallatin to John Badollet, July 31, 1793; Albert Gallatin to Commodore James Nicholson, July 20, 1793; Gallatin to Nicholson, July 25, 1793, Gallatin Papers.

[28]Adams, Life of Gallatin, pp. 100-102; Albert Gallatin to John Badollet, February 1, 1794, Gallatin Papers.

Originally the wedding was scheduled for the next winter. However, several events acted as a catalyst in the romance. After sealing the engagement in July, Gallatin returned to Philadelphia in August for a special session of the legislature. A yellow fever epidemic broke out there, and the legislature adjourned on September 6. Gallatin, who needed no prodding to leave Philadelphia, went to New York to be with Hannah. He planned to spend only a few weeks in New York and then journey west to Fayette County. In the presence of his fiancée Gallatin lost all sense of time, and when he was finally preparing to leave he fell ill with yellow fever. He was moved to the Nicholson's home where Hannah helped nurse him back to health. When he recovered it was too late to go West prior to the convening of Congress. Moreover, living in the same house made Albert and Hannah inseparable. Consequently, they were married November 11, 1793 in the Dutch Reformed Church of New York City.[29]

Less than a month after his second marriage Albert Gallatin became a member of the United States Senate which convened on December 2, 1793, but his stay in that body was short-lived. The handwriting was on the wall from his first day in that august group, for a petition was submitted by nineteen citizens of Yorktown objecting to Gallatin's election on the grounds that he had not been a citizen for nine years as stipulated in the Constitution. As time passed Gallatin became quite pessimistic over his

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[29]Walters, Gallatin, pp. 55-56.

chances to remain. He confided to his wife that he expected to be expelled. During Gallatin's first month in the upper house of Congress from outward appearance the junior Senator from Pennsylvania seemed to be concerned solely with his fate.

However, Gallatin was convinced that Alexander Hamilton's handling of the Treasury Department was entirely too high handed. Since he believed that Congress was not being given enough information by Secretary Hamilton, and because he believed firmly that the Treasury should be made to account specifically for every appropriation, on January 8, 1794 Gallatin moved in the Senate that the Secretary of the Treasury should make a public accounting of almost every important act of his department since its inception. Gallatin's action must have made Hamilton ever more determined to see the Pennsylvanian removed from the Senate. Even so he lost his seat by the very close vote of fourteen to twelve on February 28, 1794. Gallatin's removal ended the embarassing inquiries and saved Hamilton a great deal of work.[30]

After the expulsion Gallatin and his wife set out for Friendship Hill in June. While he expected some trouble in Hannah's adjustment to frontier life, Gallatin did not anticipate the tumultuous summer that took place

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[30]Albert Gallatin to Hannah Nicholson Gallatin, December 3, 1793, Adams, Life of Gallatin, p. 111; Gallatin to his wife, December 18, 1793, Ibid., p. 113; Gallatin to his wife, December 20, 1793, Ibid., p. 114; Ibid., pp. 114-115; Gallatin memorandum, "Record of Vote on Expulsion from the Senate," February 28, 1794, Gallatin Papers.

in western Pennsylvania in 1794. Since his misgivings about the Pittsburgh resolutions in December, 1792, Gallatin had nearly lost sight of the whiskey excise agitation. However, western Pennsylvania continued to simmer. In June, 1794 the Whiskey Rebellion broke out. United States Marshall David Lenox attempted to enforce a number of writs issued by a Philadelphia Court requiring that violators be tried in Philadelphia. What irked the westerners so much was that these writs were issued after the passage of a law that allowed violations more than fifty miles from a federal district court to be tried in state courts.

Gallatin and Congressman John Smilie were forces for moderation and persuaded the distillers who had been served to submit peaceably. In August Gallatin attended a general meeting at Parkinson's Ferry. He went reluctantly, but he attended out of a sincere conviction that he must preach moderation. Gallatin who acted as secretary of this meeting and Hugh Henry Brackenridge prevented hasty action. However, before the meeting adjourned the news reached Parkinson Ferry that President Washington was sending three commissioners to visit the western country. If this measure was unsuccessful, then the militia would be called out to suppress the "Treasonous acts." After a heated debate the moderates led by Gallatin and Brackenridge succeeded in getting a committee of fifteen named to meet with the federal commissioners. So far violence had been avoided, but Gallatin feared the worst was yet to come.[31]

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[31]Walters, Gallatin, pp. 70-75.

The terms which Gallatin and his committee received from the federal commissioners were far from generous. In return for assurances by means of secret voting that the people of the western country would abide by the law, the commissioners promised that the federal military forces would not enter the area before September 1. Only stupendous efforts by the moderates led by Gallatin persuaded the Whiskey rebels to agree to the federal commissioner's terms. Gallatin spent many hours convincing the residents of Fayette County that the only alternatives were civil war or the payment of the Whiskey tax. The results of the vote in Fayette County was as disappointing as elsewhere, for only a handful of citizens voted. Unfortunately, the federal government would not accept the results of the plebiscite as evidence of compliance, and the militia was dispatched.[32]

As soon as the government's decision to send troops was announced Gallatin received a disturbing report to the effect that he should flee to Philadelphia for his safety because some of the Federalists were eager for his head. October witnessed the end of the Whiskey Rebellion, for prior to the militia's arrival another meeting at Parkinson's Ferry unanimously agreed to resolutions affirming the general submission. By October 14 written assurances of submission were universally signed. Thus

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[32] Ibid., pp. 76-82; Gallatin memorandum, "Declaration of the Committee of Fayette County," September, 1794, Gallatin Papers.

by the time the troops reached the west order had been completely restored.

Perhaps one of the greatest paradoxes of the fall in western Pennsylvania were the elections held on October 14, 1794. Gallatin was sent back to his old Assembly seat by the voters of Fayette County. In addition, on the same day he was elected to Congress from Washington and Allegheny Counties, the very seat of the most violent whiskey excise tax feeling. Gallatin, who had left for Philadelphia, was astounded by the news of his election to Congress. After winning a second election to his assembly seat necessitated because the Federalists succeeded in having the October, 1794 election results in Western Pennsylvania disqualified he served in the assembly during the session of 1794-95. Then he began a long and distinguished national political career as a member of Congress in December, 1795.[33]

Pennsylvania politics consumed the lion's share of Gallatin's attention during the crucial early years of the federal republic. In almost every instance Gallatin stood in opposition to Alexander Hamilton. His uneasiness with centralizing tendencies of the Constitution, his battle to democratize Pennsylvania's political life, his distrust of the Treasury Secretary's high handed methods,

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[33]Nathaniel Breading toAlbert Gallatin, October 10, 1794; Albert Gallatin to Hannah Nicholson Gallatin, December 7, 1794; Albert Gallatin to Commodore James Nicholson, December 26, 1794; Albert Gallatin to Thomas Clare, March 5, 1795, Gallatin Papers; Adams, Life of Gallatin, pp. 140-141.

and his sympathy with the grievances (although not the methods) of the whiskey rebels all indicated that Gallatin questioned the chief tenets of Federalist domestic policy. Nor was Gallatin alone, for critics of Hamiltonian policies led by James Madison and Thomas Jefferson had begun to form an opposition party which took the name Republican. That Gallatin would join this party was hardly surprising. However, domestic events alone did not account for the division between followers of Hamilton and apostles of Jefferson and Madison. Indeed the conflict first arose as early as 1789 over conflicting views on the direction which American foreign policy ought to follow.

CHAPTER II

A REPUBLICAN CONGRESSMAN LOOKS AT FOREIGN POLICY

Students of the early national period generally group Thomas Jefferson, James Madison, and Albert Gallatin together as the triumvirate which was responsible for making policy during Jefferson's Presidency. Since Gallatin was not directly involved with national political life until 1794, the main outlines of the original rift over foreign policy were drawn without his participation. However, before turning to the origins of the dispute over foreign policy Gallatin's general outlook on foreign affairs derived from his interpretation of the Constitution must be considered.

The young Pennsylvanian's first statements on foreign affairs were purely theoretical and were enunciated as a part of his general outlook on the Constitution in 1788. At that point he assumed the mantle of a strict constructionist. Although he was critical of many provisions in the Constitution, it is significant that Gallatin had favored replacing the Articles of Confederation. Under the system operative since 1781 the individual states had been too weak to protect themselves against possible assaults by foreign nations or even to settle

disputes among themselves. In Gallatin's eyes one of the two chief reasons for replacing the Articles was that document's inability to provide the machinery necessary to cope with foreign affairs.

The Constitution empowered the general government to employ the united strength of all the states against foreign nations if necessary. Within the central government Gallatin believed that Congress should exercise primary control over foreign relations. He especially favored limiting the power of the President. Thus many Constitutional stipulations needed revision in order to make Congress supreme in matters of foreign policy. Instead of the President alone acting as Commander-In-Chief in case of war, Gallatin thought the President and a special committee appointed by Congress should conduct the war jointly. While the Constitution provided that treaties should be ratified by the President and the Senate, Gallatin wanted to substitute the House of Representatives for the President.

He saw two benefits in removing the President from the treaty ratification process. The term treaty referred to a number of different agreements ranging from commerce to those of alliance and peace. Possibly the President might use his power to involve states in a war which would not be beneficial to their interests. In commercial matters the President might favor the economic interests of his home state and refuse to accept a treaty which did not benefit those interests. Gallatin also favored trans-

ferring the President's power to appoint foreign ministers to Congress. Unquestionably in 1788 Gallatin believed in almost total Congressional control of foreign affairs.[1]

Gallatin's ideas did not gain acceptance, but during the first session of the First Congress James Madison proposed a sweeping departure for the United States in the realm of foreign policy. Madison's scheme turned on the idea of commercial discrimination, for he intended to favor those nations which had commercial treaties with the United States over those which did not. The main purpose in these suggestions was to divert American commerce from Great Britain and shift it into other channels. This diversion of commerce would obtain new markets for the expanding production of the American farmer. This proposal underscored the strong nationalism of James Madison, for he believed the political independence would not long survive unless economic independence was also achieved. The Virginia Congressman emphasized the importance of developing an American navy and an American merchant marine. Madison also stressed the importance of standing up to Britain to secure respect and dignity.[2]

Despite Madison's eloquent pleas Congress turned

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[1]Gallatin memorandum, "Problems of the Constitution," 1788; Albert Gallatin, "Memorandum on the Constitution," 1788; Albert Gallatin, "Reflections on the United States Constitution," n.d., Gallatin Papers.

[2]Annals of Congress, First Congress, First Session, pp. 182, 189, 201-202, 237, 238.

down his proposals for discriminatory tonnage duties. However, Congress did enact a navigation system which favored American shipping by granting much lower rates to American bottoms. All foreign shipping paid the same high rates. Several considerations explain this Congressional decision. Commercial interests which stood to benefit in the long run from Madison's resolutions strongly opposed discriminatory duties because they saw no suitable substitute for Britain. In addition, the full weight of Alexander Hamilton's influence was thrown against Madison's discriminatory proposals.

Alexander Hamilton stands as the supreme realist in foreign policy during the early years of the republic. To the Secretary of the Treasury foreign policy must serve the best interests of the state, and in 1789 the leading American concern was to establish credit. This paramount domestic objective necessitated friendship for Great Britain, for only the former mother country had the capital so crucial to American development. Trade with England was essential because Americans desired British manufactures and the nation's principal revenue was the tariff. Anti-British and pro-French sentiment on the part of the people constituted the two gravest threats to Hamilton's objectives. Thus the Treasurer worked behind the scenes to convince the British that American friendship was assured.[3]

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[3]The Works of Alexander Hamilton, ed. Henry Cabot Lodge (Constitutional Edition; New York: G.P. Putnam's Sons, 1903), IV, 116, 323; Ibid., IX, 527.

The early disputes over foreign policy laid the groundwork for a major crisis in 1793. When Britain and France went to war in February, 1793, the United States was forced to decide what its obligations were under the Treaty of 1778. While honoring the treaty with France, in April, 1793 America proclaimed her neutrality. No sooner had one problem been resolved than Citizen Edmond Charles Genet arrived with many schemes to use the United States to French advantage.

Genet landed in Charleston, South Carolina on April 19 and did not arrive in Philadelphia until one month later. The French minister freely interpreted the Treaty of 1778. Therefore he issued many letters of marque which empowered Americans to outfit privateers designed to cripple British commerce. Genet himself condemned and sold some of the first prizes brought into American ports. He further instructed French consuls to establish prize courts on American soil. While he had not come to the United States to ask for military aid, he seriously compromised American sovereignty.

As Secretary of State Thomas Jefferson dealt with the flamboyant Frenchman who provoked so many incidents. Jefferson's pro-French sympathies did not obscure the fact that he was first and foremost an American. He treated Genet as a diplomat not as a revolutionary agent. Moreover, he refused to condone much of the Frenchman's conduct. He did not accept Genet's arming of French privateers on American soil. Nor did he recognize the

French right to use American ports as bases of operation or places where prizes could be established. "Indeed the diplomatic correspondence of Jefferson establishes that he firmly resisted every act of Genet that would have compromised the neutrality of the United States."[4] By August Jefferson had completely lost faith in Genet and asked for his recall.

Since Albert Gallatin was involved in Pennsylvania politics during the years when the first conflict over foreign policy took place, we know very little about his views on economic foreign policy and Madison's discriminatory tonnage duties. However, in 1793 Gallatin was United States Senator-elect from Pennsylvania and was waiting to take his seat in the Third Congress which would convene in December, 1793. During this period his thoughts turned to matters of foreign policy. In the early part of that year the war in Europe engrossed Gallatin's attention. At the outset his sympathies were decidedly pro-French. He looked on republican France as a nation just liberated from the forces of darkness. That she was being opposed by the collective forces of monarchy and despotism dismayed him. If the European nations succeeded in restoring a monarchy in France, Gallatin feared that they might turn on America next in an attempt to snuff out republican principles completely. Consistent with his Francophilism he assumed an anti-British tone.

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[4]Paul A. Varg, Foreign Policies of the Founding Fathers (East Lansing: Michigan State University Press, 1963), p. 88.

"The British people," he told his friend John Badollet, "seem to me to be out of their senses; very nearly unanimous in favour of the war against France, which is carried on by the Government merely to enslave their own people."[5]

By August, 1793 Gallatin had slightly moderated his enthusiasm for France. By then he was able to discern both positive and negative aspects in French behavior. He was critical of the many excesses of the war and the Revolution. He saw that some of the French leaders were more interested in power for themselves than liberty for the nation. Nor did he believe that France would emerge with a very good government for a long time. Nevertheless, he reaffirmed his view that the French cause was that of mankind against tyrants and "no foreign nation has a right to dictate a government to them."[6]

As far as American policy was concerned Gallatin supported his nation's decision to remain neutral. On the one hand, he thought that the United States really had no alternative because she was too weak for any measures except self-defense. Unless either England or France attacked the United States, a possibility Gallatin considered very remote, America would remain at peace. On the other hand, he believed that his country would "be guilty of political and moral crime" if she either de-

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[5]Albert Gallatin to Thomas Clare, May 3, 1793; Albert Gallatin to John Badollet, May 3, 1793, Gallatin Papers.

[6]Albert Gallatin to Hannah Nicholson, August 25, 1793, Adams, Life of Gallatin, p. 104.

clared war or behaved in a manner that justified another nation in attacking her. At the heart of his thinking on the conflict between war and neutrality was the belief that only a defensive war could be justified. Holding these beliefs Gallatin was able to reconcile what he deemed American self-interest with his ideals.[7]

Citizen Genet presented a most excruciating dilemma for those who supported American neutrality but held sympathetic views toward France. When Genet first arrived in America, Gallatin was mildly enthusiastic. However, as time passed he became disturbed with Genet's conduct. While some of his political bed-fellows were still singing the praises of the French minister Gallatin lost his previous enthusiasm for the representative of Republican France. Although he believed Genet to be a man of ability and firmness, Gallatin concluded that he lacked the highly important diplomatic virtues of prudence and self-control. By December, when Genet's schemes to interfere in America's domestic affairs were completely known, Gallatin registered his unmitigated disgust with the Frenchman. "He is a man totally unfit for the place he fills," he told his wife, "His abilities are but slender; he possesses some declamatory powers, but not the least shadow of judgment. Violent and self-conceited, he has hurted (sic) the cause of his country here more than all her

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[7]Albert Gallatin to Hannah Nicholson, August 25, 1793, Ibid, pp. 103-105.

enemies could have done."[8]

The Federalists quickly took advantage of Genet's indiscretions. Alexander Hamilton led the onslaught against the friends of France within the United States. His attacks became so heated that Jefferson contemplated resigning from the government. However, Madison cautioned him against hasty action, and after careful consideration Jefferson decided to stay awhile longer.

In the late summer of 1793 the Secretary of State read newspaper reports that new British orders would affect American commerce. England had ordered that all neutral ships headed to French ports or ports controlled by France would be subject to seizure. Jefferson planned to instruct the American minister in London to seek a revocation of these orders. He also intended to submit the whole problem to Congress. At this point the idea of commercial discrimination reappeared. The weapon of economic coercion could be used to hurt the British and to convince France that America did not plan to submit to British outrages. "Pinching their commerce," wrote Jefferson of economic retaliation against the British, "will be just against themselves, advantageous to us, and conciliatory towards our friends."[9]

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[8]Albert Gallatin to Hannah Nicholson, August 25, 1793, Ibid.; Albert Gallatin to Hannah Nicholson Gallatin, December 6, 1793, Ibid., p. 111.

[9]Thomas Jefferson to James Madison, September 1, 1793, James Madison Papers, Library of Congress. Cited hereafter as Madison Papers.

Thomas Jefferson's righteous indignation toward Britain was not completely a product of the cleavage between the two emerging political parties. Indeed America had a long list of grievances against Britain. Some objections stemmed from unfulfilled pledges in the Peace of Paris. The English still retained a string of frontier ports in the Northwest which they had promised to relinquish in 1783. The presence of Redcoats on the frontier was considered detrimental to America's relation with the Indians. No compensation had been offered for slaves carried off during the Revolution. Perhaps the worst British crime lay in her making the most out of trade with the United States while she refused continually to offer America reciprocal advantages in a commercial treaty.

In addition to these long standing objections new problems arose in 1793. Britain who had been at war with France since February adhered to a maritime policy which collided with the American view of neutral rights. As mistress of the seas England had always followed the principle of consolato del mare which gave a belligerent the right to seize enemy goods which were being carried on neutral ships. The British naval commanders carried out this policy quite stringently although not without frequent American protest. By the summer British policy was further clarified. Through an Order-In-Council of June 8, 1793 Britain instructed her naval commanders to seize all ships carrying provisions and foodstuffs to France. In other words, foodstuffs were now considered contraband.

Secretary of State Jefferson quickly grasped the implications of this for neutral America. This order placed the United States in the position of supplying Britain but not France. Such a situation could easily provoke France to attack, and thus the United States because of British policy would be at war. Not only did this compromise American interests but it also denied the American stance that "free ships make free goods." Even Alexander Hamilton considered this an unnecessarily harsh order.[10]

Foreign affairs received the close attention of the Third Congress which assembled on December 2, 1793. President Washington submitted voluminous documentation to illustrate the course of the negotiations which had been carried on both with foreign nations and with the Indians while Congress was not in session. These papers related that no settlement had been reached with the hostile Indians. They also showed that Britain was extremely reluctant to continue negotiations over the outstanding difficulties. These two unresolved matters increased American bitterness against Britain. Indignation against Britain rose to further heights when Congress was told on December 16 that England had arranged a truce between Portugal and the Dey of Algiers. While the British motive had been to free her ally from possible harassments in the Mediterranean so she could concentrate on the war

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[10]Varg, Founding Fathers, pp. 96-97; Samuel Flagg Bemis, Jay's Treaty: A Study in Commerce and Diplomacy (rev. ed.; New Haven and London: Yale University Press, 1962), p. 212.

against France, the result also liberated the Algerine pirates to attack American commerce. Taking into consideration only the result of this diplomacy members of Congress blamed Britain for creating the hostile conditions for American commerce.[11]

After Congress had considered all aspects of British transgressions Jefferson sent his report on the state of American commerce to Congress on December 16. In this paper the Secretary of State pointed out that American tonnage was greater with France although trade was much greater with Britain. However, many American exports to Britain were re-exported, a practice which resulted in useless charges and unnecessary double voyages. Moreover, American ships were excluded from the British West Indies, and no American produce was allowed in British continental colonies. All of these facts taken together amounted to English disregard for American interests. The solution to this terribly crucial problem thought Jefferson lay in the adoption of a rigorous commercial discrimination against Great Britain.[12]

After reviewing the situation Gallatin concluded

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[11]Bemis, Jay's Treaty, pp. 254-256.

[12]American State Papers: Documents, Legislative and Executive, of the Congress of the United States, From the First Session of the First to the Third Session of the Thirteenth Congress, Inclusive: Commencing March 3, 1789, and Ending March 3, 1815. Selected and Edited, Under the Authority of Congress, by Walter Lowrie, Secretary of the Senate, and Matthew St. Clair Clarke, Clerk of the House of Representatives (Washington: Gales and Seaton, 1832), Class I: Foreign Relations, I, 300-304. Cited Hereafter as American State Papers: Foreign Relations.

that the United States was in a dilemma. In the face of all these threats he was greatly concerned that America was so weak that she would have trouble preserving her national honor. Reluctantly he admitted that the use of force might be justified. "I guess the first step might be to establish some kind of naval force," he wrote, "but I have as yet formed no fixed opinion of my own." In the midst of this crisis Gallatin wanted the two political factions to stop contesting and draw together for the protection and defense of the nation. He was critical of both domestic political groups. "None but such as are entirely blinded by self-interest or their passions, and such as wish us to be only an appendage of some foreign power, can try to increase our weakness by dividing us," he confided to his wife. He knew that only cooperation between both domestic political factions could realize his desire "that the public measures will show firmness tempered with moderation." Unfortunately, Gallatin stood almost alone among Americans in political life during 1793 in seeking to set aside partisan politics in favor of a united defense of national interests.[13]

On January 3, 1794 the House of Representatives took up Jefferson's Report on Commerce, and James Madison introduced a set of resolutions designed to implement Jefferson's recommendations. In essence these proposals

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[13]Albert Gallatin to Hannah Nicholson Gallatin, December 11, 1793, Adams, Life of Gallatin, pp. 111-112; Gallatin to his wife, December 15, 1793, Ibid., pp. 112-113.

would establish an American navigation system. While these resolutions closely resembled previous suggestions by Madison, they contained an added provision. The additional tariff revenue derived from the new duties was to be employed to liquidate claims of American citizens arising out of damages sustained by the operations of "particular nations in contravention to the law of nations."[14]

Madison's resolutions touched off a critical debate on foreign policy. The Federalists staunchly opposed these resolutions. They employed many of the same arguments that they had used previously to refute the logic and necessity of such a drastic program. That Great Britain would dominate American trade was natural they pointed out given the need and desire on the part of America for more manufactured goods. Moreover, it was absolutely fundamental that nothing be done to disturb Britain because that nation could supply the badly needed credit without which American economic development would be severely curtailed. In answer to these Hamiltonian arguments the Republicans stressed the necessity for America to find new markets in order to fulfill the needs of the agrarians. That the Republicans ignored the importance of credit in their speeches underscored their inability to think in economic terms.[15]

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[14] Annals of Congress, Third Congress, First Session, pp. 155-156.

[15] Bemis, Jay's Treaty, pp. 259-260.

James Madison was the leading spokesman for the Republicans. He repeated many of the same arguments he offered in his two previous attempts to chastize England. The monopolistic system of Britain was an attempt to reduce an independent nation to the status of vassalage. That Britain both disregarded American rights on the high seas and refused to honor obligations she had agreed to in the peace treaty of 1783 only added further to Republican indignation. Since Britain would not negotiate her differences, the Republicans believed that if the United States were to retain her self-respect she must establish her own system of commercial discrimination.[16]

The leading Federalist spokesman was really Alexander Hamilton, but since he was not a member of Congress his ideas were articulated by William Smith of South Carolina. Smith pointed out that there was no discrimination pointed directly against the United States. In fact with regard to some commodities Britain even gave special concessions to the United States. The British levied lower duties on tobacco, rice, naval stores, and pig iron than did France. Three-quarters of American trade was carried on with Great Britain while only one-seventh of the total British trade was with the United States. It was obvious that the United States was deeply dependent on Britain and would be badly hurt if she engaged in a legislative war with her.[17]

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[16] Ibid., p. 260

[17] Annals of Congress, Third Congress, First Session, pp. 174-209.

The debate lasted from January 13 to February 3 and resulted in a virtual standoff. The resolutions were neither passed nor rejected, and further action was postponed until March. When the debate resumed conditions had been drastically altered for the worse. On November 6, 1793 an Order-In-Council far more drastic than the one in June was issued. By this order British commanders were instructed to seize all ships carrying goods or produce of any French colony or carrying provisions or supplies for the use of any French colony. This order was not made public until late December, but by that time the damage had been done. News of this order reached the British West Indies early in 1794 at a time when the waters of the Caribbean were filled with American ships. The order was carried out swiftly and rigorously. Consequently over two hundred-fifty unsuspecting American ships had been seized by March. News of these captures reached Philadelphia early in March before Madison's proposals had been acted upon.[18]

Word of the latest British depredations caused immediate and widespread consternation amongst Congressmen no matter what their political persuasion. Hamilton himself was indignant and urged the immediate raising of an army. The Secretary of the Treasury's views were indicative of the thoughts of most Federalists who were Americans first and friends of Britain only because the American national interest, up to that point, had dic-

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[18]Bemis, Jay's Treaty, pp. 262-264.

tated cordial relations with the mistress of the seas. Since the immediate problem was how to obtain relief Federalists favored preparing for defense by raising an army. On the other hand, the Republicans preferred resolutions and economic weapons such as an embargo and sequestration of British debts.[19] These two quite different responses illustrated the great differences that existed between the two parties. The Federalists took a realistic stand, and the Republicans relied on an idealistic stance backed largely by rhetoric.

The renewal of the debate on Madison's discriminatory tonnage duties took place under vastly different circumstances from which it had begun. Not only were the British seizures well known but news had also reached Philadelphia of Lord Dorchester's inflammatory speech of February tenth to the Western Indians. Consequently Madison's tonnage duties program was dropped by the Republicans in favor of more drastic action.

While it was ludicrous to discuss enlarging the American merchant marine at precisely the time Britain was swallowing up all the available shipping, Madison apparently did not grasp the gravity of the situation. "The commercial propositions are in this state of things not the precise remedy to be pressed as first in order," he admitted. Yet he was extremely reluctant to drop these propositions completely for "they are in every view and argument proper to make part of our standing laws till

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[19]*Ibid.*, pp. 264-266.

the principles of reciprocity be established by neutral arrangements," he argued.[20]

Others in Congress disagreed with Madison, and an embargo for one month on all shipping in American ports was agreed to by Congress. As if this action was not enough Jonathon Dayton of New Jersey proposed the sequestration of all debts owed by Americans to British creditors as compensation for the injuries received at English hands. While the sequestration resolution was being debated another resolution was introduced which called for suspension of all commerce with England until compensation was made for the illegal captures, the frontier posts evacuated, and the owners reimbursed for the slaves carried off by the British during the Revolution. This resolution was offered in spite of the fact that news had reached America stating that Britain had issued new Orders-In-Council of January 8, 1794 which superceded the order of November 6. The new policy allowed non contraband trade between the United States and the French islands. Nevertheless, the Non-Intercourse Bill was passed by the House and the embargo was extended for another month.[21]

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[20]James Madison to Thomas Jefferson, March 12, 1794, Madison Papers.

[21]Very little evidence can be found to substantiate Gallatin's views at this time. He exhibited a typical Republican attitude, for he endorsed the plan to stop all commercial intercourse with Britain and to sequester all British debts. Albert Gallatin to Hannah Nicholson Gallatin, April 7, 1794, Adams, Life of Gallatin, pp. 121-122.

Throughout the whole crisis the Federalists had been on the defensive. Thanks to the seriousness of the British transgressions they were unable to protest against the Republican measures as vehemently as they desired. Even when the Federalists called for defense measures in the national interest they were suspected of plotting to subvert republicanism. "You understand the game behind the curtain too well not to perceive the old trick of turning every contingency into a resource for accumulating force in the government," wrote Madison as he looked askance at Federalist suggestions.[22] Nevertheless, while urging preparations for defense the Federalists also decided to make one last effort to keep peace. Therefore they urged that a special mission be sent to England. Hamilton finally convinced Washington on the propriety of such action, and John Jay was appointed to make a crucial effort to avoid an open breach or possibly even war with Great Britain.

Jay was successful in reaching a settlement, and a treaty was signed in November, 1794. The United States reaped obvious benefits from this agreement. First, the Western problem would be alleviated, for Britain agreed to evacuate the frontier posts on American soil by June 1, 1796. She also agreed to submit boundary disputes both in the Northeast and the Northwest to Commissions for settlement. Secondly, England agreed to compensate

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[22]James Madison to Thomas Jefferson, March 14, 1794, Madison Papers.

Americans for losses on the high seas which had been a result of the most obnoxious Orders-In-Council. This provision removed some of the sting from the controversy over neutral rights. Yet Britain refused to repudiate the orders in principle. Thirdly, American ships would be admitted into the East Indies. Most Americans agreed that these provisions of the treaty were beneficial. However, apart from these considerations, many found the rest of the treaty disagreeable. The treaty placed commercial relations between the two nations on a non-discriminatory basis by containing an American guarantee renouncing either sequestration of British debts or discriminatory commercial legislation. By far the most criticized provisions were those which recognized the British conception of neutral rights. The American doctrine that free ships make free goods was ignored. Also scuttled was the right of neutrals to trade in non-contraband goods with belligerents. The United States acquiesced in the Rule of 1756 which stated that ports closed to a nation in peacetime were not open in wartime. They also agreed to allow Britain to seize enemies' goods on neutral ships. Naval stores were also included as contraband. Moreover, Britain refused to end the practice of impressment. Nor did she offer any compensation for slaves carried off during the Revolution. All these provisions were considered detrimental to American interests.[23]

Although some Americans viewed the Jay Treaty as a

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[23]Bemis, Jay's Treaty, pp. 346-373.

complete sell-out to Britain, it was in fact proof that Britain considered the United States important enough to win concessions from a Great Power. Undoubtedly the new nation had made great concessions to Britain. However, they had gained a great deal. This settlement with Britain meant that American commerce would continue to prosper and the nation's financial structure would remain strong. In addition removal of the British from the Northwest meant that American territorial integrity would be preserved. These factors guaranteed that the American nation would continue to exist. Peace with England was necessary to maintain Hamilton's fiscal system which was the cornerstone of the federal republic. The leading student of Jay's Treaty, Samuel Flagg Bemis, correctly summed up the significance of this treaty: "It is not an exaggeration to believe that Jay's Treaty, saved American nationality in an hour of crisis."[24]

On March 7, 1795 the treaty arrived in Philadelphia, but its provisions were kept secret until action could be taken by the Senate. In a special session on June 22, 1795 the Senate ratified the Treaty by exactly a two-thirds majority. The vote was twenty to ten. In the meantime the terms had been leaked to Benjamin Bache, publisher of the Philadelphia General Advertiser or Aurora and an ardent Republican. When leading Republicans

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[24]Samuel Flagg Bemis, A Diplomatic History of the United States (4th ed.; New York: H. Holt and Company, 1955), p. 103.

saw the actual terms of the treaty, they were horrified. Four days after the Senate ratified the document Albert Gallatin read the entire treaty. "It exceeds everything I expected," he told his wife. Once the treaty's provisions became public knowledge a tremendous debate ensued between the two domestic political factions. Gallatin, who never found the vicious in-fighting of partisan politics very attractive, was sincerely disturbed by the proportions of the controversy. "I wish the ratification of the treaty may not involve us in a more serious situation than we have yet been in," he wrote. Notwithstanding Gallatin's desires the furor continued even after President Washington finally signed the treaty.[25]

Because the vote in the Senate had been so close and also because Washington himself was dissatisfied with the terms of the treaty he had delayed ratifying the treaty himself. As he considered the treaty both Alexander Hamilton and the Secretary of State Edmund Randolph recommended ratification. Hamilton prepared a paper for Washington recommending ratification. He saw as the major benefit of the treaty that it settled the controversies with Great Britain. On the other hand, Randolph based his recommendation largely on the consideration that the treaty kept the peace. In addition to advising the President Hamilton also sought to change the

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[25]Albert Gallatin to Hannah Nicholson Gallatin, June 29, 1795, Adams, Life of Gallatin, p. 151; Gallatin to his wife, September 6, 1795, Ibid., p. 153.

image of Jay's Treaty by writing a series of articles in the Argus under the name Camillus. In these articles he warned that peace was necessary for the development of the nation and that war would serve to destroy the young republic. That these articles must have been effective can be deduced from Jefferson's comments to Madison after reading them. "Hamilton is really a Collosus to the anti-republican party," remarked the Sage of Monticello, "without numbers he is an host within himself." After thorough deliberation Washington decided to sign the treaty.[26]

Although the ratification process had been completed, the Republicans led by James Madison intended to have the last say in the House of Representatives. Madison thought the House of Representatives could kill the treaty by refusing to pass the enabling legislation necessary to make the treaty operative. Rather than introduce the question of the treaty himself Madison decided to let the Federalists bring up this delicate matter. However, another faction within the Republican Party preferred more radical action. This group wanted to introduce the question of Jay's Treaty themselves, and their attitude ultimately prevailed. On March 1, 1796 President Washington sent the British Treaty to the House, and on the following day Edward Livingston of New York introduced a resolution that the President lay Jay's instructions and correspondence relating to the treaty be-

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[26]Varg, Founding Fathers, pp. 106-108; Thomas Jefferson to James Madison, September 21, 1795, Madison Papers.

fore the House.[27]

Debate on Livingston's motion raged for nearly three weeks in the House of Representatives. Both sides considered this motion so important that almost all other business was temporarily sidetracked. In general the Federalists argued that the treaty had been ratified and that the House had no business with the papers unless the purpose was to impeach the President, a strategy some High Federalists attributed to the Republicans. The Federalists also argued that since the House could not repeal the treaty, they must obey it. On the other hand, the Republicans led by James Madison and Albert Gallatin argued that the House had a constitutional right to refuse to pass legislation for executing a treaty which touched legislative subjects vested in Congress.[28]

On March 7 Gallatin delivered his first major foreign policy speech in the House of Representatives. He stressed two major points in this speech. First, since the treaty had been referred to a Committee of the Whole in the House, it would be useful to have as much information as possible in order to take any action. Secondly, Gallatin raised the Constitutional question.

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[27]Irving Brant, James Madison, Father of the Constitution, 1787-1800 (New York: Bobbs-Merrill and Co., 1950), pp. 429-434; Noble Cunningham Jr., The Jeffersonian Republicans: the Formation of Party Organization, 1789-1801 (Chapel Hill: Published for the Institute of Early American History and Culture at Williamsburg by the University of North Carolina Press, 1957), pp. 80-81.

[28]Cunningham, Jeffersonian Republicans, pp. 81-82.

He pointed out that certain powers were delegated to Congress by the Constitution. The regulation of trade was one of the foremost of these powers. Perhaps the treaty-making powers delegated to the Executive closed with its Congressional right to regulate trade he pointed out. "The question may arise," cautioned Gallatin, "whether a Treaty made by the President and Senate, containing regulations touching objects delegated to Congress can be considered binding, without Congress passing laws to carry it into effect." While the questions he raised were important, he merely outlined issues which he considered worthy of analysis. With this speech the young Congressman established himself as an important figure in the Republican Party. Jefferson was highly impressed with the Pennsylvanian's analysis. "It is worthy of being presented at the end of the Federalist as the only rational commentary on the part of the Constitution to which it relates," observed Jefferson.[29]

In subsequent speeches on March 9 and March 24 Gallatin elaborated on the two points he had raised earlier. In his concluding speech on March 24 he developed fully the Constitutional aspect of the treaty making power. First, he analyzed the Federalist point of view which he labeled the "Treaty Doctrine." According to this theory the President and the Senate could negotiate a binding compact which left Congress no choice except to approp-

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[29] Annals of Congress, Fourth Congress, First Session, pp. 436-437.

riate the money necessary for the execution of the treaty. This doctrine was both dangerous and unconstitutional the Pennsylvania Congressman warned because it abridged the clauses of the Constitution which vested specific powers in Congress. Secondly, Gallatin pointed out that the treaty-making power would not be destroyed if the House had access to treaty papers. The only power claimed by the House was really a negative power which was confined to the subjects over which Congress had the right to legislate. A treaty that was not acted on by the House was still the law of the land and binding upon the United States except for matters of legislative object. The final fate of the treaty Gallatin argued would remain in the hands of the other signatory nation who must decide whether they wished to honor the treaty without some of its original conditions. If the other nation accepted the treaty without the portions embracing legislative objects, it remained a treaty. On the other hand if the other nation chose not to be bound, they could do so. In that case the treaty would be defeated, but the final decision did not rest in the House.[30]

Following a rancorous debate the call for the treaty papers was carried by a vote of 62-37 on March 24. Six days later the House received its answer from the President in the form of a sharply worded rejection. The President thought that the papers requested were not relevant to any purpose except his impeachment. Both Wash-

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[30] Ibid., pp. 739-746.

ington's refusal and the tone of his address surprised the House leadership. Consequently, on April 2 the Republicans in the House caucused to decide on their next move. After a thorough discussion of the alternatives James Madison decided that he had the votes necessary to continue the battle. Thus on April 6 William Blount of North Carolina introduced resolutions in the House stating that when a Treaty depended upon laws of Congress for its implementation the House of Representatives had a constitutional right to deliberate on carrying such a treaty into effect. These resolutions passed without any discussion by a division of 57 to 35 which indicated that a number of Federalists voted with Madison's party.[31]

The vehemence with which Republicans viewed Jay's Treaty was illustrated well by Jefferson. "The whole mass of your constituents have condemned this work in the most unequivocal manner," Jefferson told Madison. The House was "the last hope" to spare the nation "from the effects of avarice and corruption of the first agent." "Which had sacrificed the rights, the interest, the honor and faith of our nation."[32]

On April 13 Theodore Sedgwick of Massachusetts introduced a resolution which called for appropriations to carry four treaties, Jay's Treaty, Pinckney's Treaty with

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[31]Ibid., pp. 771-772; Cunningham, Jeffersonian Republicans, pp. 81-83; John C. Miller, The Federalist Era, 1789-1801 (New York: Harper and Row, 1960), p. 175.

[32]Thomas Jefferson to James Madison, March 27, 1796, Madison Papers.

Spain, a treaty with Algiers, and an Indian treaty into effect. Under this plan the Federalists intended to shield the British treaty behind the Treaty of San Lorenzo which was generally conceeded to be highly advantageous to American interests. In addition, the Spanish Treaty's great popularity in the West, a Republican stronghold, was considered an asset for the Jay Treaty. Albert Gallatin, disturbed by this Federalist maneuver, urged that each treaty be voted upon separately. He took special cognizance of the fact that the Spanish Treaty was solidly backed by his western Pennsylvania constituents. The idea which had gained credence in the West that the Jay Treaty and the Spanish Treaty were linked caused him great anguish. According to this theory the Spanish would refuse to carry out the terms of Pinckney's Treaty which opened the Mississippi River to American commerce and established New Orleans as an entreport for American goods unless the United States ratified Jay's Treaty. Since consideration of the Treaty of San Lorenzo would evoke little controversy, Gallatin proposed that it be considered first by the House. By bringing the Spanish Treaty to a vote first he planned to disarm those Federalists who threatened to vote against it if Jay's Treaty was successfully blocked.[33]

Gallatin thought the Federalists' omnibus treaty resolution highly threatening because he had already received a petition from the constituents in his district

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[33] Annals of Congress, Fourth Congress, First Session, pp. 940, 964-965.

signed by fifty persons including such solid Republicans as Alexander Addison and Hugh Henry Brackenridge. This petition argued exactly as the Federalists did that the Jay and Pinckney Treaties were closely related and failure to carry out the Jay Treaty would also doom the generous compact concluded with Spain. Gallatin had also received other letters and petitions from Republican friends and from normally Republican areas which favored implementing the Jay Treaty with no reference to the Spanish Treaty. One letter even suggested that he could use these petitions as an excuse to desert the anti-treaty forces. Knowing that public opinion in his constituency favored the Jay Treaty placed Gallatin in a very difficult position. His own sentiments were undoubtedly against the treaty, but after he began to receive pro-treaty petitions and letters he was forced to reappraise his thoughts.[34]

As the debate continued in the House on the Jay Treaty Gallatin felt the brunt of the attack by the Federalists. Harrison Gray Otis, one of Gallatin's former students at Harvard and an influential Boston lawyer, referred to Gallatin as a "vagrant" and a man who came to America "without a second shirt to his back." Secretary of the Treasury, Oliver Wolcott, Jr., was convinced by

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[34]"Petition of Sundry Inhabitants of the Western Counties of Pennsylvania in Favor of the Treaty with Great Britain," March 21, 1796; David Redick to Albert Gallatin, April 7, 1796; Alexander Addison to Albert Gallatin, April 7, 1796, Gallatin Papers.

his own party's propaganda that the Western Pennsylvania Congressman was "directed by foreign politics and influence." As odious as the Federalists' personal attacks were, it is probable that they played only a small part, if any, in influencing Gallatin's attitude on the Jay Treaty. The letters and petitions from Western Pennsylvania which he continued to receive weighed much more heavily. Probably correspondence from home constituted one of the leading reasons that he was silent during most of the crucial debate in the later days of April.[35]

Gallatin's one important speech on the substance of the treaty reflected an attempt to combine elements of idealism and realism. Although he was genuinely opposed to most provisions of the treaty and wanted to vote against its implementation, he knew that his district favored the treaty because they thought it would insure peace on the frontier. Gallatin was in the difficult position of maintaining that the Jay Treaty was not in the national interest although some provisions were definitely in his district's interest. His speech of April 26 reflected an attempt to reconcile these two points of view.

The first part of his speech carefully reviewed the provisions of the Treaty in an effort to balance the assets and defects. He began by stating that the differences between the two nations sprang either from the failure to execute some articles of the treaty of peace

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[35]Walters, Gallatin, pp. 100-101.

of 1783 or from the effects of the European war. He found that the treaty remedied the past differences that Britain had with America, for the United States had agreed to full compensation for losses arising from the debt question. Having done justice to Britain the United States should expect equal treatment of her claims arising from the treaty of 1783. Although the British had agreed to evacuate the frontier posts, they insisted that British traders be allowed to remain on the frontier without becoming American citizens. Nor could the United States exert any control over these aliens. In Gallatin's eyes this new condition outweighed the positive effect of the British relinquishment of the frontier posts because British influence which had incited the Indians in the past would remain. However, the concessions that the United States received from the British on the subject of spoilations of American commerce constituted an important benefit. "When a weak nation had to contend with a powerful one," he observed, "it was gaining a great deal if the national honor was saved even by the shadow of an indemnification, and by an apparent concession on the part of the aggressor." Nevertheless, Gallatin was particularly angry at the abandonment of the American doctrine of neutral rights, "free ships make free goods," in favor of the British contention that an enemy's property on board a neutral vessel was fair game. The worst part of abandoning the American concept of neutral rights was that it would encourage British aggression on the

high seas. Not only had America acquiesced in the British interpretation of maritime rights, but they also had renounced all weapons of self-defense. Since the United States had no naval fleet which could oppose the British Navy, she had to rely on other defensive measures such as restrictions on trade, a prohibition on British manufactures, or a sequestration of British debts. However, in the Jay Treaty the United States had voluntarily renounced all three measures: the first two for the duration of the European war and the latter forever. The renunciation of commercial weapons was particularly galling to Gallatin because it repealed the whole Republican foreign policy toward England.[36]

The second portion of Gallatin's speech considered the probable consequences if the House refused to appropriate the funds necessary to execute the Treaty. If the Treaty were rejected, three conditions would likely result. First, the British would continue to retain the posts. Secondly, no reparations for British spoilations on American commerce would be forthcoming. Consequently American national honor would continue to suffer. Finally, the day when a lasting adjustment of American differences with Britain could be effected would be further postponed. After enumerating the evils of rejecting the treaty Gallatin made a very significant statement which indicated that public opinion in Western Pennsylvania had

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[36]Annals of Congress, Fourth Congress, First Session, pp. 1184-1193.

caused him to moderate his view of the treaty. He stated:

> . . . and when to these considerations be added that of the present situation of the country, of the agitation of the public mind, and of the advantages that would arise from the union of sentiments, however injurious and unequal he conceived the Treaty to be, however repugnant it might be to his feelings and perhaps to his prejudices, he felt induced to vote for it, and would not give his assent to any proposition which would imply its rejection.[37]

The latter part of this quotation has been cited to prove that Gallatin shifted his position in response to his constituent's wishes. This interpretation is not completely valid when one considers the rest of Gallatin's speech, for he articulated the reasons why he did not vote to implement the Treaty. Since the Treaty had been signed, British conduct on the high seas had become worse not better. Gallatin considered the continuation of impressment and violations on shipping as an attempt by His Majesty's government to force the United States into adopting the treaty. True, a very important reason for negotiating the Treaty had been to halt British violence on the seas, but these depredations continued. He wondered what logic would dictate American acceptance of the Treaty designed to stop the very acts which Britain was using to bludgeon the United States into acceptance. In In his opinion such action would constitute "a dereliction of national interest, of national honor, of national independence." Basing his decision on the preceding ideal-

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[37] Ibid., p. 1196.

istic factors Gallatin announced that he would vote against implementing the Treaty.[38]

Other Republicans were even more skeptical of the treaty than Gallatin. The Jay Treaty was unacceptable to almost all Jeffersonians for three reasons. First, it committed the United States not to establish discriminatory tonnage duties nor to resort to other forms of economic coercion. Secondly, it offended the nationalistic and democratic sentiments of the agrarians. Finally, it surrendered a major principle of international relations: neutral rights. James Madison expressed objections to nearly every article. Some Republicans believed that the Federalists were attempting to create a crisis psychology by speaking of war as the alternative to the treaty. Many Republicans thought the strength of the United States would act as a deterent to the British. In addition, most Republicans emphasized only the American side of relations with Britain. Some could not see that the British had any valid arguments at all. Therefore compromise was rejected.[39]

In the beginning of the battle in the House over Jay's Treaty in April James Madison thought he held a healthy majority. By April 23 a shift had occurred. "The majority has melted by changes and abscences (sic), to 8 or 9 votes," Madison confided to Jefferson, "Whether

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[38] Ibid., pp. 1193-1198.

[39] Varg, Founding Fathers, pp. 111-112.

these will continue firm is more than I can decide," he confessed. In fact these votes also shifted, for on April 30 the House voted 51 to 48 to authorize the appropriations for the Jay Treaty. Gallatin voted against the resolution. In less than three weeks the anti-treaty bloc in the House of Representatives had lost their majority. Perhaps the best explanation of this shift in sentiment can be traced to the tremendous pressure which the Federalists applied at the "grass-roots" levels. Undoubtedly these efforts were crucial in many Congressional districts. Gallatin himself received many letters and petitions urging him to vote for execution of the Jay Treaty. He assumed that his correspondence was inspired by Federalist James Ross, but after the treaty was carried into effect he discovered that his original premise was wrong. In reality the enthusiasm for the treaty had been inspired from within the heart of the Republican ranks by Alexander Addison and Hugh Henry Brackenridge. Although he received many petitions and letters, Gallatin's final attitude on the treaty was determinated by two factors. First, he was not certain that true popular support for the treaty really existed. Referring to public opinion in the closing part of his April 26 speech Gallatin stated that the full range of public opinion was not known. Secondly, he was convinced that what he conceived to be American interests would be served best by America's refusal to implement the British treaty.[40]

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[40]David Redick to Albert Gallatin, April 20, 1796; A.

While Jay's Treaty ironed out some of the most pressing problems between Britain and the United States, it further complicated the already difficult relations with France. When the French learned of the terms of the settlement with Britain, they were furious for several reasons. France had not wanted the negotiations to succeed, for her interests would be best served if the United States went to war with England. In addition, James Monroe, the American minister in Paris, on the basis of inadequate information from the State Department had told the French that they had nothing to fear from the negotiations between Britain and his nation. Consequently, France believed Monroe had deliberately deceived them, and the American minister was thoroughly discredited. Technically no conflict existed between the British Treaty and American obligations to France. However, the agreement with Britain did violate the spirit of the Commercial Treaty of 1778 because British ships might seize and confiscate American ships carrying foodstuffs to France. As far as the French were concerned the United States had turned her back on them and virtually allied herself with archenemy England. The official French reaction to Jay's Treaty soon followed. On July 2, 1796 she announced that France would treat neutrals exactly as they allowed England to treat them.

Robertson to Albert Gallatin, April 27, 1796; Alexander Addison to Albert Gallatin, May 4, 1796; Albert Gallatin to Alexander Addison, May 13, 1796, Gallatin Papers.

In short, France planned to seize American ships again.[41]

Nor did France confine her anti-Federalist activity to the high seas. The ratification of the British Treaty which had been bitterly opposed with all the resources at their command by French ministers, Joseph Fauchet and Pierre Adet, convinced the Paris government that they must work to defeat George Washington. Consequently Adet campaigned against Washington until he announced his retirement. Then the French minister focused his attention on preventing John Adams, who was assumed to be pro-British, from succeeding Washington.[42]

Certainly French interference in American political life was not novel. Fauchet and Adet were merely continuing a theme of French diplomacy established in 1776 by Vergennes and further elaborated upon by Genet. These men all intended to use the United States as a French pawn in international politics. When he issued his Farewell Address President Washington was acutely aware both of French meddling and fertile soil in the United States occasioned by the pro-French sympathy of some Americans. Therefore part of the Farewell Address was devoted to deploring the growth of a violent partisanship that inflamed peoples with violent passions or hatreds for foreign nations. "Nothing is more essential than that permanent, inveterate antipathies against particular nations and passionate attachments for others should be excluded," he warned, "and that in place of them just and amicable

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[41]Miller, Federalist Era, pp. 193-195.
[42]Ibid., pp. 198-200.

feelings toward all should be cultivated.[43]

Washington also focused on formal entanglements. Surely he had in mind the disputes and embarrassments already caused by the "perpetual" French Alliance of 1778. "It is our true policy to steer clear of permanent alliances with any portion of the foreign world," he asserted. However, he did not rule out all entanglements, for "We may safely trust to temporary alliances for extraordinary emergencies." This was sound advice for a young and divided nation which had suffered from recent and bitter experience with France. The policy of noninvolvement that he suggested was designed to exclude European agents and intrigue from the United States. If this advice were followed, Americans might enjoy real independence.[44]

Although somewhat tempered with realism Gallatin's attitude on the Jay Treaty differed only slightly from the idealistic viewpoint of the Republican party and its leaders, Thomas Jefferson and James Madison. Unlike many Republicans he took into consideration the fact that America was receiving some concessions from a Great Power. However, he was very disturbed that the treaty repealed his party's foreign policy of economic retaliation against England. Moreover, he dismissed the benefits of the treaty when he thought of British violation of the concept of national honor and national independence by their

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[43] A Compilation of the Messages and Papers of the Presidents, 1789-1902, ed. James D. Richardson (New York: Bureau of National Literature and Art, 1896) I, 221.

[44] Ibid., 223.

spoliations of American commerce. It was mainly that consideration which led him to vote against the treaty. Yet his April 26 speech also shows the careful and thorough analysis which characterized Gallatin's foreign policy as Congressman. Nevertheless, idealism triumphed, and Gallatin was typical of most Republicans with some reservations. In spite of a certain immaturity Gallatin does present some promise of tough minded approach to foreign policy in the future.

The Jay Treaty was the great foreign policy issue which confronted the Fourth Congress in 1796. Although the Federalists succeeded in obtaining the appropriations they sought and carried the treaty into effect, Albert Gallatin also benefitted from this foreign policy debate. Through his logical analysis and perceptive observations the Congressman from Western Pennsylvania distinguished himself in his first term in the House. Consequently, even before James Madison retired from Congress in 1797 Gallatin was looked to by many, both friends and enemies, as the leader of the Republicans in the House. This distinction bore much bitter fruit for the task of fighting the Federalists' policies was hard work with little reward.[45]

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[45]Adams, Life of Gallatin, p. 166.

CHAPTER III

THE FAILURE OF FRENCH INTIMIDATION

French reaction to the Jay Treaty had not reached its zenith when the Federalists began to push for the creation of a Naval establishment in addition to increased appropriations for new frigates and other defense measures. The Federalist Party responded to the crisis precipitated by France in 1796 much as they had reacted to the crisis created by Britain in 1794. In both cases American commerce was being harassed by a European Power, and in each instance the Federalists recognized the necessity of using force to defend American neutrality. For this reason bills were introduced into Congress late in the second session of the Fourth Congress calling for the strengthening of the regular army, the creation of a provisional army of 15,000 men, the construction of three frigates, the levying of new taxes to obtain revenue, and the granting of large discretionary powers to the President.[1]

Albert Gallatin like most Republicans also followed the precedents of 1794 in responding to the French crisis. In contrast to the Federalists Republicans opposed defense

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[1]Miller, Federalist Era, pp. 207-208.

measures in each case. In 1794 the Republicans had favored punitive action against Britain by means of economic coercion, but in 1796-1797 most Republicans would not even admit that France presented a legitimate threat to American interests.

Gallatin especially opposed the creation of a large navy and increased naval appropriations. He was convinced that the existence of a heavy debt constituted bad national policy. For a young state to encourage indebtedness would be disastrous. Since the United States already had a large debt, only greater financial burdens, the passage of new taxes, or both would result from higher appropriations for the navy. Nor did Gallatin think a navy could protect commerce. Moreover, he viewed the creation of a navy as the erection of an instrument of force not consistent with American national purpose. Finally, he feared that increased sea power would be directly linked with the augmentation of the army, a step which might be used for domestic political purposes by the majority party.

Gallatin was particularly anxious to demolish the Federalist notion that commerce could not exist without the protection of a navy. He addressed himself to this point in a major speech in the House of Representatives on February 10, 1797. Although American commerce had been subject to continual depredations since 1793, its volume was exceeded only by England and Holland he pointed out. Most European nations demonstrated that no logical connection existed between the size of a state's

navy and the extent of its commercial transactions. For example, Russia and Sweden had large navies but little commerce. On the other hand, Holland which had a small navy carried on a volume of commerce second only to England. Instead of acting as agents of commercial success navies "were the instruments of power more calculated to annoy the trade of other nations, than to protect that of the nation to which they belong."[2]

In the same speech Gallatin warned that the United States could not support a navy. He asked the proponents of a large naval establishment to consider how much three frigates had cost before they decided to create a fleet capable of commanding European respect. In addition to financing a navy, the Pennsylvania Republican wondered how it would be possible for America to man a large fleet given the fact that European naval nations were forced to practice impressment in order to staff their navies. Yet Gallatin did not ignore the problem of defense. If absolutely necessary he would support a policy of placing American seamen on board privateers and covering the ocean with these privateers.[3]

Before concluding this speech Gallatin declared that a much more effective way to secure the respect of foreign nations existed. Rather than using force America should apply all her resources to paying the debt. He

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[2]Annals of Congress, Fourth Congress, Second Session, p. 2129.

[3]Ibid., pp. 2129-2130.

argued in the most idealistic terms that a nation with a balanced budget and a small national debt would be an unlikely target for European agression.[4] In employing these arguments Gallatin ignored the very real question of French seizures. Moreover, his solution betrayed a passionate attachment to a governmental economy which seriously twisted his views of American national interests in foreign policy. As well this stand inhibited his ability to make adjustments for harsh and unforeseen contingencies. Nevertheless, even in moments of his most idealistic commitment to governmental economy Gallatin still retained enough foresight to admit that someday a navy might well be necessary. However, in the future sea power could be forged from a surplus of Treasury funds. As a token of his willingness to consider a future navy the Pennsylvania Congressman was willing to appropriate a small amount of money for the purchase of live oak to be used as a future resource for ship building.[5]

The debate over defense policy temporarily subsided with the expiration of the Fourth Congress in March, 1797. On March 4, 1797 John Adams was inaugurated as President of the United States. One of the new President's foremost concerns was settlement of the French question. "I have it much at heart to settle all disputes with France," he told Henry Knox. He intended that "nothing shall be

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[4]Miller, Federalist Era, p. 208.

[5]Annals of Congress, Fourth Congress, Second Session, p. 2130.

wanting on my part to accomplish" this objective. However, Adams set certain limits to his search for peace. "But old as I am," he cautioned, "war is, even to me, less dreadful than iniquity or deserved disgrace."[6]

Although he sought peace with France, President Adams held no illusions concerning the ease of this task. His appraisal of France was brutally realistic. Above all he understood the fundamental basis of international relations was self-interest. All European nations began from this basis, but this assumption was particularly pronounced in the French. "They consider nobody but themselves," observed the President. In many respects Frenchmen had a highly exalted opinion of themselves and their nation. "Their apparent respect and real contempt for all men and all nations but Frenchmen, are proberbial among themselves." Recent French efforts to influence American politics confirmed Adams' opinion that "They think it is in their power to give characters and destroy characters as they please." The only rule that guided French action was "to give reputation to their tools, and to destroy the reputation of all who will not be their tools." Adams view of the French concluded:

> To a Frenchman the most important man in the world is himself, and the most important nation is France. He thinks that France ought to govern all nations, and that he ought to govern France. Every man and nation that agrees to this, he is will-

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[6]John Adams to Henry Knox, March 30, 1797, The Works of John Adams, ed. Charles Francis Adams (Boston: Little, Brown and Company, 1853), VIII, 535.

> ing to '<u>populariser</u>': every man or nation that disputes or doubts it he will '<u>depopulariser</u>' if he can.[7]

While Adams himself sought peace with France on terms honorable to the United States, he realized that he would be forced to struggle with many problems. One of the foremost difficulties was the nature of the American political system. Foreign attachments explained the "different gradations of attachment and aversion to me in different parties" Adams believed. "The difference between France and England occasions the difference here. This is to me a frightful consideration."[8] The President found comfort in the observation that the majority of the nation like himself, was not passionately attached to any party.

Indeed John Adams had good reason to be concerned with political parties and the loyalties they commanded. Thomas Jefferson shared the same fear, but his emphasis was quite different. The Vice-President's chief concern lay in the kind of policies the new chief Executive would pursue toward England and France. Jefferson's first estimate of Adams was optimistic. "I do not believe Mr. A. wishes war with France," he confided to fellow Virginian James Madison. "Nor do I believe he will truckle to Eng-

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[7]John Adams to Henry Knox, March 30, 1797, <u>Ibid.</u>, 536.

[8]John Adams to Dr. Walsh, March 10, 1797, quoted in Alexander De Conde, <u>The Quasi-War: The Politics and Diplomacy of the Undeclared War with France 1797-1801</u> (New York: Charles Scribner's Sons, 1966), p. 16.

land as servilely as has been done. If he assumes this front at once and shews that he means to attend to self respect and national dignity with both nations, perhaps the depredations of both on our commerce may be amicably arrested."[9]

On March 14, 1797 the very day after John Adams had expressed his desire to maintain peaceful relations with France to Pierre Adet, the recalled French minister who had worked for the President's defeat in the election of 1796, bad news arrived in Philadelphia. Before leaving office President Washington had sent Charles Cotesworth Pinckney, a South Carolina Federalist, to replace the indiscreet James Monroe as American minister in Paris. The Directory, the ostensible French government, not only had refused to receive Pinckney, but they had also forced him to leave Paris. Pinckney had retreated to Amsterdam to await further instructions from his government.[10]

News of the treatment accorded Pinckney was bad enough, but even worse news followed. On March 2, 1797 the Directory had issued a decree which violated the Franco-American commercial treaty of 1778. They annulled the principle of free ships, free goods thus allowing French warships to capture all neutral vessels caught carrying British goods. This order also stated that any American found serving under an enemy flag, a category

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[9]Thomas Jefferson to James Madison, January 22, 1797, Madison Papers.

[10]DeConde, Quasi-War, pp. 16-17.

which would include all American seamen impressed by the British, would be treated as pirates. Furthermore, all American ships which did not carry a list of crew and passengers or role d' equipage in a form approved by France would be liable to seizure. In total these stipulations amounted to limited maritime hostilities on the part of France against the United States, a nation with whom she was at least technically still allied.[11]

French actions were critical enough to convince the President that Congress should be convened as soon as possible. Thus he issued a call for a special session to open May 15. On May 16 the President addressed a joint session of Congress on the French question. He devoted the first part of his message to outlining French rejection of Pinckney. "The refusal on the part of France to receive our minister, is then the denial of a right," he observed, "but the refusal to receive him until we have acceded to their demands without discussion and without investigation, is to treat us neither as allies, nor as friends, nor as a sovereign State." Worse than simply rejecting an American minister France had compounded the crime. They attempted to separate Americans from their governments and "to produce divisions fatal to our peace." This French interference "ought to be repelled with a decision which shall convince France and the world that we are not a degraded people, humiliated under a colonial

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[11] Ibid., p. 17.

spirit of fear and sense of inferiority, fitted to be the miserable instruments of foreign influence, and regardless of national honor, character, and interest."[12]

Although France had "inflicted a wound in the American breast," Adams still desired peace. Hence he announced that he would "institute a fresh attempt at negotiations." He expected to seek a settlement compatible with "the rights, duties, and honor of the nation." Nevertheless, at the same time he recommended defense measures such as the arming of merchant ships, the augmentation of the navy, the formation of a provisional army, and new laws to strengthen the militia.[13]

Adams' speech embodied many of Alexander Hamilton's ideas, and it satisfied most Federalists. On the other hand, Republicans considered it warlike and were "surprised, shocked, and alarmed." They were surprised because the tone of the speech was completely unexpected. They were shocked because they thought perhaps Adams was more inclined toward peace than his address indicated. Finally they were alarmed because they believed the President had given in to the warlike Hamiltonian wing of the Federalist Party.[14]

If Albert Gallatin had been looked to as a leader of the Republicans in the Fourth Congress, his position

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[12] Works of John Adams, IX, 113-114.

[13] Ibid., 114-117.

[14] Thomas Jefferson to James Madison, May 18, 1797, Madison Papers; De Conde, Quasi-War, p. 26.

was enhanced considerably in the Fifth Congress. James Madison had retired from public life, and aside from Gallatin only Edward Livingston, John Nicholas, and William Branch Giles could be considered candidates for leadership positions. Gallatin easily stood out among these men and was the undisputed Republican leader. Consequently, in most instances his comments on American policy toward France were indicative of the Republican position.

On May 25 Gallatin made an important speech in answer to President Adams' address to Congress. At the outset he established clearly that he did not plan to apologize for French conduct. However, he did think that France should be placed on an equal footing with all other nations as far as her treaty with the United States was concerned. If nothing else was accomplished, Gallatin thought that his country should take measures to make it abundantly clear to France that no division existed within the United States over the course of American policy. To accomplish this objective he favored a stiff ultimatum to the French Directory to demonstrate American solidarity. Finally, he urged that no time be wasted in beginning negotiations.[15]

Gallatin fought most Federalist projects for chastizing the French. He opposed a convoy system because he thought that it would be more expensive and yield fewer benefits than continuing the status quo. He reasoned that individuals would lose more paying taxes for

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[15]Annals of Congress, Fifth Congress, First Session, pp. 144-150.

a large navy than paying higher prices for commodities, the logical result of continued French spoilations. He also challenged allowing merchant vessels to arm because neither international law nor the practice of nations sanctioned this mode of protection. He advised Congressional silence on this matter so that the American government could not be blamed for any acts of violence undertaken by individuals. He also maintained that American ships should submit to search as stipulated in her commercial treaties because a failure to allow for a proper search was grounds for hostile action.[16]

In the meantime John Adams had appointed a three man commission to negotiate with France. Originally he selected John Marshall, the Virginia Federalist, and Francis Dana, Chief Justice of the Massachusetts Supreme Court, to join Charles Cotesworth Pinckney in Paris. When Dana refused to serve because of poor health, Adams replaced him with Elbridge Gerry, a Massachusetts Republican, who had been the President's original choice prior to rejection by the cabinet. In July Marshall and Gerry departed on their mission, and in early October they both arrived in France.

Meanwhile John Adams speculated that French policy would not become any more bellicose toward the United States. "Tallyrand, I should suppose, could not be for war with this country," he observed to his Secretary of State Timothy Pickering. Nor could Adams believe that

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[16] Ibid., pp. 245, 256-257, 278-279.

the Directory would support such a radical move. The President expected French policy to remain constant, for "a continued appearance of umbrage, and continued depradations on a weak, defenceless commerce, will be much more convenient for their views."[17]

During the remainder of 1797 Gallatin remained fairly optimistic regarding American policy toward France. He thought that the majority of the Federalists wanted to negotiate with France and favored peaceful resolution of the crisis as long as some compensation was exacted for French violations. "Upon the whole," he wrote, "I believe that we will not adopt a single hostile measure, and that we will evince such a spirit as will induce Mr. Adams to negotiate on the very ground we propose." He was convinced only a few Federalists led by Oliver Wolcott Jr., Secretary of the Treasury; Timothy Pickering, Secretary of State; William Smith; and Fisher Ames were determined to go to war. As late as December, 1797 after the second session of the Fifth Congress opened Gallatin retained this optimism. "I think that unless the French Government treat our Commissioners very ill this session will pass on quietly and without much mischief being done," he predicted to his wife.[18]

Most Republicans agreed with their Congressional

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[17]John Adams to Timothy Pickering, October 31, 1797, Works of John Adams, VIII, 560.

[18]Albert Gallatin to Commodore James Nicholson, May 26, 1797; Albert Gallatin to Hannah Nicholson Gallatin, December 19, 1797, Gallatin Papers.

leader that only extreme Federalists sought to provoke war with France. Since the Republicans had enough strength in the House of Representatives to delay action on almost any matter, decisive measures could not pass. Yet a significant and ominous change fell over Gallatin as 1797 drew to a close. Between December, 1797 and January, 1798 his thoughts on relations with France shifted. He grew tense in early January as Congress awaited news of the negotiations with France. As time passed with no news forthcoming he became decidedly pessimistic. In a letter full of revealing political news Gallatin unburdened himself to his wife:

> Our situation grows critical. It will require great firmness to prevent this country being involved in a war should our negotiation with France meet with great delay or any serious interruption. We must expect to be branded with the casual epithets of Jacobins and tools of foreign influence. We must have fortitude enough to despise the calumania of the war-faction and to do our duty not withstanding the situation in which we have been dragged by the weakness and party spirit of our administration and by the haughtiness of France. We must preserve self dignity, not suffer our country to be debased, and yet preserve our Constitution and our Fellow citizens from the fatal effects of war. The task is difficult and will be impracticable unless we are supported by the body of the American people. You know, my love, that I am not deficient in political fortitude, and I feel, therefore, perfectly disposed to do my duty to its full extent and under every possible circumstance.[19]

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[19]Albert Gallatin to Hannah Nicholson Gallatin, January 19, 1798, Gallatin Papers; Gallatin to his wife, January 2, 1798; Gallatin to his wife, January 11, 1798, Adams, Life of Gallatin, p. 189. Gallatin predicted that nothing would be done until the fate of the negotiations was known.

Gallatin and the Republicans had good reason to be suspicious, for events which were to have momentous impact in the United States had transpired in France during the fall of 1797. Shortly after the trio of American negotiators reached Paris they were approached by three French agents, later designated as Messieurs X, Y, and Z by President Adams. These mysterious diplomatists enumerated several necessary prerequisites to negotiations. They demanded an apology for President Adams' statements about France, a bribe of 1,200,000 livres, and a loan of 32,000,000 florins which would be used to purchase supplies from the United States.

The American diplomats were not naive enough to be terribly shocked by talk of money, but they refused these demands for very good reasons. First, they had not been instructed to deal with financial problems such as these. Secondly, to accept the French demand for a loan would constitute a breach of neutrality almost certain to cause war between the British and the United States. For a neutral nation to make loans to a belligerent was tantamount to throwing her weight behind that nation. In this case the United States could not risk war with Britain for obvious reasons. America needed British manufactures and the revenue derived from the preponderance of trade with Britain. Indeed Tallyrand's agents were asking for far more than a loan, they were demanding a radical shift in American foreign policy that would lead to disaster for the young republic.[20]

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[20] Varg, Founding Fathers, pp. 131-132.

While the Americans rejected the French terms, this action did not end negotiations summarily. In fact, talks continued over a five month period from October, 1797 until March, 1798. One of the leading reasons these conferences continued lay in the fact that France did not want war with the United States. Finally, in March, 1798 when it was clear that the price of a settlement with France would be war with England, negotiations broke down. Marshall and Pinckney left Paris in disgust but Elbridge Gerry remained at Tallyrand's request to prevent a complete rupture between France and America.

While diplomacy between France and the United States deteriorated, Gallatin avoided public discussion of Franco-American relations. During the first three months of 1798 Gallatin's observations on American foreign policy were confided to a critique of foreign political intercourse. In his discussion he drew a sharp line between commercial and political intercourse. The primary thrust of his argument was that normal commercial intercourse, while highly necessary to the nation, could be carried on by consular agents. Ministers and other agents of political intercourse were not only superfluous, but they also could be harmful to a nation's interests because the United States should avoid political connection with Europe. If commercial treaties were advantageous, a Minister Extraordinary could be dispatched for the sole purpose of concluding the agreement. Ministers and other members of the diplomatic establishment

only aided the United States in extending in political influence in Europe, a circumstance which should be avoided.[21]

In the eyes of the Pennsylvania Republican only the complete dismantling of the diplomatic establishment could save America from the corruption of the European. In advocating such action Gallatin went almost as far as any American politician in espousing nearly complete political and diplomatic (although not commercial) isolation from Europe. That he suggested this radical course indicated that indeed Gallatin was still a child of the Enlightenment. In his eyes two worlds existed. One world, represented by America was good, virtuous, and republican. The other world, represented by Europe, was evil, corrupt, and tyranical.

In a speech on March 1 which the Republicans considered so noteworthy that it was specially printed and distributed Gallatin even went so far as to question whether commercial treaties aided American commerce. He was suspicious that commercial treaties often contained provisions which were political in nature. He argued that prior to 1787 the commercial treaties which America had signed with France, Holland, Sweden, and Prussia had not prevented a depression of commerce. However, between 1787 and 1793 American trade boomed without the negotiating of any new trade treaties. From this reasoning Gallatin concluded that the formation of the

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[21] Annals of Congress, Fifth Congress, Second Session, pp. 856-857, 859, 886-887.

general government which could regulate commerce was the crucial factor which had stimulated commerce. He also proposed that the diplomatic establishment be trimmed as a gesture to Europe that America did not want to mix in their political affairs. Referring to the European balance of power Gallatin made an oft quoted statement:

> But, however interesting that balance may be to Europe, how does it concern us? We may lament the fate of Poland and Venice, and I never can myself see without regret, independent nations blotted from the map of the world. But their destiny does not affect us in the least. We have no interest whatever in that balance, and by us it should be altogether forgotten and neglected. If we ever think that we have an interest in it, shall we not be induced to throw our weight in the scale; shall we not involve ourselves in the destinies and the wars of Europe? If we act on our ground, is it likely that other nations will ever consider us as forming a weight in their balance?[22]

Part of this statement has been cited as an example of Gallatin's isolationism by John C. Miller in The Federalist Era. In reality Gallatin was doing little more than echoing the advice in Washington's Farewell Address, wise council that was generally accepted by most Americans at this time. Both defined America's rightful foreign relations as commercial relations. The Pennsylvanian subscribed to Washington's thesis that Europe and America each had a primary set of interests which were not related. Gallatin also left room for the distasteful contingency that America may have to intervene in European affairs in the future. He did underestimate, as most

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[22] Ibid., pp. 1124-1129.

Republicans, usually did, the role of Britain and the British Treaty which he had opposed.

Much of what Gallatin advised with regard to the diplomatic establishment can be explained through his attempt to cut expenditures. Moreover, part of his attitude on this question was conditioned by his frustration on the unresolved state of Franco-American relations. However, the best explanation of the attack on the diplomatic establishment lies in Gallatin's fear of the extension of Executive power. He worried that the increase of the diplomatic establishment would mean more patronage and the use of influence by the Executive branch. This speech was also a reaction to the Federalist's emphasis on Executive power.

On March 4, 1798 the period of tense anticipation of news from France ended, for the first dispatches from the American commissioners arrived in Philadelphia that evening. Upon a first reading of the uncoded papers both Secretary of State Pickering and President Adams were convinced that the climax to the French crisis had arrived. Adams told Congress that the dispatches had arrived, and from what he had already read he was certain the mission had failed. Consequently he recommended measures to protect commerce until he could give a full report on all the papers. While the nation waited uneasily the dispatches were deciphered. After ascertaining the complete picture the President leaned toward war and believed at the very minimum that the nation was in

for a long hard struggle. Albert Gallatin was so alarmed at the thought of open hostilities that he closed a letter to his wife with these words, "May God save us from a war!"[23]

On March 19 the President sent Congress a message much milder than he had originally intended. While he did not call for a formal declaration of war, it did establish a state of limited hostilities against France. Having read the reports of Pinckney, Marshall, and Gerry, Adams sadly reported, "I perceive no ground of expectation that the objects of their mission can be accomplished on terms compatible with the safety, the honor, or the essential interests of the nation." Nor did this failure result from lack of effort or desire for peace on the part of the United States. "I can discern nothing," Adams concluded, "which could have insured or contributed to success, that has been omitted on my part, and nothing further which can be attempted." He repeated his recommendations for defense of shipping, the protection of coastal areas, manufacture of arms, and the raising of the revenue necessary to finance these measures.[24]

Gallatin was irked by Adams' tactics which he construed as an attempt to put America on a war footing without a declaration of war. He thought that the situation demanded an immediate decision for war or peace. After

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[23]Albert Gallatin to Hannah Nicholson Gallatin, March 6, 1798, Adams, Life of Gallatin, p. 195.

[24]Works of John Adams, IX, 156-157.

carefully weighing the consequences the Republican leader counseled that it would be better for the United States to submit to French seizures of vessels rather than go to war. He carefully pointed out that he no longer considered French influence strong in the country and that he was not trying to defend French actions. In fact, he thought some defensive measures against France were justified. Yet he refused to advocate such action because he could not distinguish between offensive and defensive war at sea. The main reason Gallatin was willing to council submission was that he was convinced that war would soon terminate in Europe. Then the obnoxious maritime practices of the French would cease.[25]

The Republicans in Congress believed that the President and his party were creating a crisis which did not really exist in order to justify high handed defensive measures which by-passed the legislative branch. Therefore much pressure accumulated for Adams to submit the dispatches of the American commissioners to Congress. On April 2 the House of Representatives by an overwhelming vote demanded the papers. A combination of Republicans and extreme War Hawk Federalists was responsible for this action. The former believed that once these papers were made public clamor for war would subside for lack of cause: while the latter thought these documents would

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[25]Annals of Congress, Fifth Congress, Second Session, pp. 1328-1330, 1370; Albert Gallatin to Hannah Nicholson Gallatin, March 13, 1798, Adams, Life of Gallatin, pp. 195-196.

disclose evils calculated to stir the nation's patriotism to demand outright war. Suspecting a trap Gallatin refused to vote for the resolution. William Branch Giles, a Republican leader from Virginia, warned his colleagues, "You are doing wrong to call for these dispatches. They will injure us."[26]

On April 3 the XYZ dispatches, the diplomatic documents which contained the details of the French attempt to extort a bribe along with the details of the negotiations by the American commissioners, were released to Congress by the President. Once the country learned of their contents war hysteria flamed. Gallatin's worst fears were confirmed for indeed his position and the stance of his party was greatly weakened. Indeed William Branch Giles had been a most accurate prophet; the Republicans did regret that they had aided the bellicose wing of the Federalist Party in calling for the papers. With the dramatic disclosures of the XYZ affair the Federalists rose to a new height in popularity.

The publication of the XYZ papers touched off one of the most vitroilic and surely one of the most frightful political battles in American history. As Vice President Thomas Jefferson was in an excellent position to observe the struggle. While Jefferson found "that these papers do not offer one motive the more for our going to war," he admitted that his interpretation was not widely

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[26]Thomas Jefferson to James Madison, April 5, 1798, The Writings of Thomas Jefferson, ed. Paul Leicester Ford (New York: G.P. Putnam's Sons, 1896), VII, 230-232; Walters, Gallatin, p. 107.

shared. The Vice President revealed that the dispatches contained material "calculated to excite disgust and indignation in America generally." If anything, Jefferson believed these disclosures would prove especially offensive to Republicans "when they (France) so far mistake as to presume an attachment to France, and hatred to the Federal party, and not the love of their country, to be their first passion."[27]

As time passed the warfare between the parties increased. "Party passions are indeed high," Jefferson recorded, "At this moment all the passions are boiling over, and one who keeps himself cool and clear of the contagion, is so far below the point of ordinary conversation, that he finds himself insulted in every society." In spite of these conditions Jefferson retained his optimism and faith in the ability of reason to guide men's actions. No doubt lingered in his mind that right thinking and "the principles of '75" would ultimately triumph. Thus the duty of the Republicans was clear, they must "endeavor to avoid war."[28]

Throughout the French crisis of all leading Republicans Madison adhered to one of the most radical interpretations. While the results of the negotiations were still unknown, Madison was leary of unfavorable rumors concerning the negotiations, for the failure of this mission

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[27]Thomas Jefferson to James Madison, April 6, 1798, Madison Papers.

[28]Thomas Jefferson to James Lewis, Jr., May 9, 1798, Writings of Jefferson, VII, 250.

might well lead to "a war on the side of England the most formidable means put in the hands of her partizans (sic) for warping the public mind toward monarchy." This consideration constituted the best argument for peace he asserted.[29]

Madison unlike Gallatin and Jefferson went out of his way to argue that France was justified in retaliating against the United States because of the Jay Treaty. The Treaty of 1794 was the real stumbling block. He saw no solution unless Jay's Treaty was repealed or unless France was allowed to "plunder us, as we have stipulated that Britain may plunder us."[30] On numerous occasions he justified the French position and pointed out past American folly.[31]

Unfortunately Gallatin left no letters or memoranda in his papers concerning the XYZ dispatches. Nor did he make any public speeches regarding them. However, he did not change his position, for he continued to argue that war should be avoided. Significantly he made no speeches on foreign relations in the Second Session of the Fifth Congress after April 3. Instead he bitterly fought all

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[29]James Madison to Thomas Jefferson, January 21, 1798, Madison Papers.

[30]James Madison to Thomas Jefferson, February 12, 1798, Thomas Jefferson Papers, Library of Congress. Cited hereafter as Jefferson Papers.

[31]James Madison to Thomas Jefferson, March 4, 1798; Madison to Jefferson, April 2, 1798; Madison to Jefferson, April 15, 1798, Jefferson Papers. All are examples of Madison's willingness to search diligently to criticize American policy.

Federalist measures for defense as well as the passage of the Alien and Sedition Acts which took place during the second session.[32]

The Federalists were approaching war on a step by step basis, and Jefferson believed the Republicans in Congress could defeat the more drastic measures if they acted together. Instead enough Republicans left Congress in the midst of this most crucial session to give the Federalists commanding majorities even in the House of Representatives where Federalism had been weakest.[33] As April passed into May Gallatin was the only Republican of stature who remained in Congress to attempt to slow the Federalist onslaught. As a result he bore the brunt of the brutal, sometimes vicious, Federalist attacks.

Gallatin insisted that war was unnecessary because it was in itself a humiliation. Nor did he think French domination of the United States was the sole alternative to war. Americans should accept the losses they suffered from the French and seek to avoid new injuries. War would bring even greater losses. Patience not hysteria should be the theme of American foreign policy. Americans should wait for the war in Europe to end, for that occasion would bring an end to French attacks on American

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[32]Gallatin's views on defensive measures are spelled out in speeches of April 19, 20, 25, May 23, June 1, 8, 12, and July 5 in Annals of Congress, Fifth Congress, Second Session, pp. 1456, 1466, 1468, 1471-1472, 1475, 1510, 1512-1516, 1545, 1810, 1861, 1882, 1913, 2126.

[33]De Conde, Quasi-War, p. 92.

shipping. Gallatin also pointed out that the British were as guilty of despoiling American shipping as were the French, and the Federalists were not entirely consistent in wanting war only with France for the reasons they gave.[34]

Throughout the crisis with France Gallatin considered the domestic consequences of the Federalist foreign policy the greatest threat. "But the highest misfortune," he wrote, "is that the opportunity is seized by the Executive party to exercise this power and to bind us by the table chair of fiscal, legal, and military despotism. I allude to the necessary burden of taxes and debts that must follow a war, to the proposed sedition bill which will be made a mere instrument of party and in which the Constitution must be set aside, and to the Pretorian bands and standing army already adopted."[35]

All Gallatin's efforts to block Federalist measures failed, for between March 27 and July 16, 1798 twenty laws were enacted to strengthen national defense, to suppress opposition at home, and to change relations with France. The capture of armed French ships was authorized. An act on June 13 suspended commercial intercourse with France. On July 7 both the commercial treaty and the treaty of alliance of 1778 with France were declared void on the grounds that they had already been violated

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[34]Adams, Life of Gallatin, pp. 200-201.

[35]Albert Gallatin to Commodore James Nicholson, May 18, 1798, Gallatin Papers.

by France. Furthermore to combat foreign influence and domestic heresy a series of four acts known collectively as the Alien and Sedition Acts were passed.

The "undeclared war with France" was confined to the sea in the summer of 1798. Nevertheless, an army of 10,000 men was raised, and George Washington was summoned from retirement to command this force. The former President wanted Alexander Hamilton to serve as active commander, and his will finally prevailed although not without creating serious cracks in the Federalist wall. Many Republicans stated that the real purpose of the army was to finish off domestic opposition, a thesis admirably documented by Stephen Kurtz in his fine study, The Presidency of John Adams.[36] Expansion into Spanish territory in Florida, New Orleans, Louisiana, Texas, perhaps Mexico, and points even further south constituted a secondary reason for the creation of the large army.

While the United States assumed a stiff posture toward France during 1798, Tallyrand reconsidered his attitude toward America and finally shifted to a more conciliatory approach. A number of considerations convinced him to change his policy. First, Elbridge Gerry who re-

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[36]Stephen G. Kurtz, The Presidency of John Adams: The Collapse of Federalism 1795-1800 (Philadelphia: University of Pennsylvania Press, 1957), pp. 313-314; Kurtz contends that, "The army raised in 1798 and 1799 was the principal cause of the split in the Federalist Party that revealed itself blatantly when Adams suddenly announced his intention to accept the peace feelers from Paris. There can be no doubt that the party was already badly divided at the time of that startling announcement in February, 1799," Ibid., pp. 330-331.

mained in France was firm and tough-minded. A previous proclivity toward sympathy for France could not obscure the American diplomat's nationalism. Secondly, Tallyrand had received numerous reports that the United States was determined to resist French aggression. Thirdly, French merchants were unhappy that profitable trade with the United States was being ruined. Moreover, Tallyrand was extremely fearful of the consequences of unrestrained war with the United States. France had too much to lose from such an engagement: the destruction of French commerce; the loss of her colonies; the squandering of an opportunity to get Louisiana, and the acquisition of a new international foe. Consequently for all these reasons Tallyrand made it clear that he would receive an American minister and treat him decently.[37]

News of Tallyrand's conciliatory gestures reached the President in late September, 1798. Adams had recoiled from the prospect of full fledged war, and was unquestionably buoyed by this turn of events. In the meantime the effect of the new direct taxes as well as the practical consequences of raising an army helped sap the desire for war on the part of many Americans. In this shifting atmosphere President Adams weighed the prospect of changing American policy.

The third session of the Fifth Congress opened in a highly charged atmosphere in December, 1798. All outward signs pointed to the increased possibility of war

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[37]Varg, Founding Fathers, p. 137.

with France. Thus Gallatin was pleasantly surprised by the temperateness of the President's annual message. Adams' offer to negotiate if France sent an Ambassador to the United States lifted his spirit. Wisely Gallatin decided that the Republican strategy in the House should be to avoid "French questions and foreign ground." Instead they would oppose the Alien and Sedition laws at whatever point possible. However, he did speak on several related affairs. He urged that the United States not encourage the rebels in Santo Domingo no matter how much American trade would benefit from a new outlet for goods in an independent state in the Caribbean. Encouraging the independence movement in the French colony would only further inflame affairs with France. Gallatin also repeated his familiar arguments against higher naval appropriations and the role of the navy. Otherwise the third session of the hectic Fifth Congress passed without any significant comments on foreign policy.[38]

The "brink of war" atmosphere changed dramatically when President Adams announced on February 18, 1799 that he had nominated William Vans Murray, then American minister at the Hague, envoy to France. This action terminated the tremendous rivalry between the two parties over policy toward France. Instead a wide chasm was opened within Federalist ranks between the followers of Hamilton who wanted war and the moderates now led by the President

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[38]Albert Gallatin to Hannah Nicholson Gallatin, December 14, 1798, Adams, Life of Gallatin, p. 233; Gallatin to his wife, December 21, 1798, Ibid., p. 224; Annals of Congress, Fifth Congress, Third Session, pp. 2746-2747, 2749-2753, 2823-2824, 2830-2832, 2862, 2864-2865, 2870.

who desired a peaceful solution consistent with American interests and honor.

President Adams exemplifies the realist in foreign policy. As he explained to George Washington he nominated Murray on the strength of assurances from Tallyrand that he would receive an American minister. Nomination of a minister did not mean that peace was to be sought regardless of its price or the consequences for the United States. "Tranquility upon just and honorable terms, is undoubtedly the ardent desire of the friends of this country," stated Adams, "and I wish the babyish and womanly blubbering for peace may not necessitate the conclusion of a treaty that will not be just nor very honorable. I do not intend, however, that they shall."[39]

Surely one of Adams' most pertinent observations lay in his appraisal of political parties and foreign policy. He did not take the Republicans' desire for peace very seriously. "In elective governments, peace or war are alike embraced by parties, when they think they can employ either for electioneering purposes."[40] The nomination of Murray illustrated a number of tendencies in the American political system. "It has also produced a display of the real spirit of the parties in this country, and the objects they have in view." However, Adams was not to be intimidated particularly by his own party. If

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[39]John Adams to George Washington, February 19, 1799, Works of John Adams, VIII, pp. 625-626.

[40]Ibid., 626.

any one entertains the idea, that, because I am a President of three votes only I am in the power of a party," he warned, "they shall find that I am no more so than the Constitution forces upon me."[41]

President Adams was forced to bow to Federalist pressure and he enlarged his peace commission to three men. When the commissioners in America threatened to delay their departure he ordered the two then in America, Oliver Ellsworth and William R. Davie to depart. Negotiations began in April, 1800 and repaidly became deadlocked. After seven months the log jam was broken, and an agreement was signed officially at Montrefontaine in October. According to the terms of the agreement France consented to cancel the treaties of 1778 after the United States agreed to assume the financial claims of its own citizens arising from French spoilations upon American shipping. Although this amounted to a sum of 20 million dollars, it was a cheap price to pay for annulment of a twenty-two year mismarriage.[42]

Gallatin's Congressional career came to a close in March, 1801. The Pennsylvanian offered few suggestions on foreign policy throughout 1799 and 1800. Several reasons explain this silence. During most of this time he was unusually active working for the election of Thomas Jefferson as President. Despondency over the course of

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[41]John Adams to Charles Lee, March 29, 1799, Ibid., 629. [42]De Conde, Quasi-War, pp. 181-186, 220-222, 229-244, 253-258.

public affairs was linked with dejection stemming from personal attacks upon him by Federalists. His proud and sensitive nature coupled with a nascent political realism dictated silence particularly on foreign affairs as the wisest policy both for himself and his party. Nevertheless, he expressed approval of the work of Murray and his associates.[43]

During the Presidency of John Adams Gallatin took positions that are still open to dispute in his suggestions on policy toward France. He argued from an agrarian oriented Republican viewpoint which considered domestic affairs of primary importance. A foreign policy which strengthened the power of the Executive held evil consequences for the nation. A commitment to the enhancement of governmental economy led him to vote against defense preparations. Seriously misjudging the European situation, he believed that peace would soon be achieved in Europe. Therefore he urged patience and a policy of cautious waiting.

Yet as Congressman Gallatin had served both the nation and his constituents well. Looking back over these years of service the Pennsylvanian considered the two most important matters he dealt with the Jay Treaty and the French crisis. Acknowledging that his chief liabilities were a lack of eloquence and a thick French accent,

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[43]Albert Gallatin to Hannah Nicholson Gallatin, March, 1799, Adams, Life of Gallatin, pp. 227-228; Gallatin to his wife, January 15, 1801; Gallatin to his wife, February 5, 1801, Gallatin Papers.

he concluded that his assets were "laborious investigation, habits of analysis, thorough knowledge of subjects under discussion, and more extensive general information due to an excellent early education."[44] These traits to a large degree did characterize the more positive aspects of Gallatin's foreign policy in the closing years of the Federalist period.

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[44]Adams, Life of Gallatin, pp. 155-157.

CHAPTER IV

THE JEFFERSONIANS IN POWER

Upon assuming the Presidency in 1801 Thomas Jefferson appointed Albert Gallatin Secretary of the Treasury. Gallatin was the logical choice, for he was the most gifted financial expert in the Republican Party. Moreover, the Pennsylvanian epitomized the Jeffersonian economic philosophy. The cornerstone of his fiscal policy rested on a fervent desire to retire the debt as quickly as possible. Throughout his career in the Treasury Department he labored diligently to reach this objective. Achievement of this goal depended upon the extent to which unnecessary spending could be slashed. Reduction of the naval and military establishment was the best place to launch the economy campaign. Desire to repeal the internal taxes passed by the Federalists necessitated stringent economizing in all departments.[1]

Peace constituted one of the most crucial prerequisites in Gallatin's fiscal system. "No nation can, any more than any individual, pay its debts unless its annual receipts exceed its expenditures, and the two necessary ingredients for that purpose, which are common to all na-

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[1]Albert Gallatin to Thomas Jefferson, March 14, 1801, Jefferson Papers.

tions are frugality and peace," he observed.[2] The preservation of peace was the special concern of James Madison, the Secretary of State. Yet Gallatin's importance in advocating policies which would further the course of peace cannot be ignored.

Indeed Gallatin's influence extended well beyond the limits of the Treasury Department. The scope of the Treasurer's knowledge and the soundness of his judgment enhanced his importance within the government. Jefferson found him indispensable as an advisor and consultant on numerous matters. Often the President submitted messages and other important policy questions to Gallatin first so that he could benefit from his suggestions. Frequently Jefferson ignored advice which he found uncongenial; yet he accepted many of the Treasurer's modifications. Like all strong Presidents Jefferson made the final decisions, but Gallatin contributed much of importance to Jefferson's administrations.[3]

Formation of a new American policy toward the Barbary Pirates constituted the first problem in foreign relations for the Jefferson administration. Since achieving independence the United States had followed the policy of other European nations by paying, annual tribute to Morocco, Algiers, Tunis, and Tripoli, the pirate states of North Africa. These payments which amounted to nearly ten

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[2]Adams, Life of Gallatin, p. 271.

[3]Walters, Gallatin, pp. 144-145.

million dollars from 1789 until 1801 had exempted American commerce from raids by the Mediterranean marauders. Thomas Jefferson had always objected to the idea of bribing the African cutthroats. In his service abroad during the Confederation period he had attempted unsuccessfully to organize a league of the European powers against the pirates to stop permanently this obnoxious practice. Nor had Jefferson changed his opinion upon assuming the Presidency. Thus he rejected the idea of paying tribute as a reflection on national honor.[4]

Outrages by the North African pirates required Jefferson to consider stringent measures. In October, 1800 the Dey of Algiers forced the George Washington to sail for Constantinople under an Algerian flag with gifts for the Sultan. A far worse affront occured in May, 1801. The Pasha of Tripoli, believing that the United States ought to pay more tribute, declared war by cutting down the flag at the American consulate. This crime merited a strong American answer. On May 15, 1801 Jefferson raised two questions for the cabinet's discussion. "Shall the squadron now at Norfolk be ordered to cruise in the Mediterranean?," and, "What shall be the object of the cruise?"[5]

The cabinet agreed that the cruise should be under-

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[4]Ibid., p. 150; Gilbert Chinard, Thomas Jefferson: The Apostle of Americanism (2nd. ed. rev.; Ann Arbor: The University of Michigan Press, 1957), pp. 205-207.

[5]Nathan Schachner, Thomas Jefferson: A Biography (New York: Appleton, Century, Crofts, 1951), II, 685-686.

taken, but differences of opinion existed over the goals of this action. Attorney General Levi Lincoln believed that force should be used only to repulse attacks on American commerce. Gallatin, having arrived only the day before and not having had time to familiarize himself thoroughly with the question, reluctantly agreed to sending the squadron. The Secretary of the Treasury supported Lincoln's position, arguing that only defensive efforts could be justified. Any other course would mean war which only Congress had the power to declare. Secretary of War Dearborn and Secretary of State Madison thought that the purpose of the voyage must be the protection of American commerce no matter what measures were required.[6] On June 1 the squadron sailed to reinforce the few American ships in the Mediterranean, but no decisive action followed in 1801.

Almost as soon as the Tripolitans had been threatened with the use of American force other Barbary states began to cause trouble. Algiers had been uneasy because America had suspended the payment of tribute. Jefferson finally agreed with Madison that a payment of $30,000 annual tribute for three years might pacify them.[7] Morocco had assumed a more insolent stance and had ordered the American consul to leave the country. "This demand of

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[6]Ibid., 686.

[7]James Madison to Albert Gallatin, July 22, 1802; Thomas Jefferson to Albert Gallatin, July 28, 1802, Gallatin Papers.

his," wrote Jefferson, "is so palpably against reason and the usage of nations as to bespeak a settled design of war against us . . ."[8] Although the President favored keeping the fleet in the Mediterranean in preparation for the inevitable hostilities he asked for the advice of his cabinet.[9]

Gallatin was concerned that Jefferson might engage in hostilities against Morocco. "Our object," he pointed out, "must clearly be to put a speedy end to a contest which unavailingly wastes our resources, . . ." The Secretary of the Treasury opposed half way measures which would be stringent enough to evoke Moroccan hostility but too mild to bring about a redress of grievances. He also believed that America was in no position to pursue vigorous measures without jeopardizing domestic objectives. He urged restraint by pointing out that compared to the other Barbary states past Moroccan conduct had been far superior. Nor did he think the mere dismissal of the American consul merited the strong action Jefferson favored.[10]

Gallatin suggested a peaceful settlement of the dispute based on the payment of twenty or thirty thousand dollars. One of the principal reasons the Treasury Secretary supported such a solution lay in his analysis of

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[8]Thomas Jefferson to Albert Gallatin, August 9, 1802, Gallatin Papers.

[9]Jefferson to Gallatin, August 9, 1802, Gallatin Papers.

[10]Albert Gallatin to Thomas Jefferson, August 16, 1802, Jefferson Papers.

the forces necessary for a successful Mediterranean war. Hostilities with Morocco would necessitate the deployment of at least four frigates and possibly more. If Tunis entered the struggle, more than five ships would be needed for the United States merely to compete on even terms.[11]

Gallatin's greatest fear was a naval war against the combined forces of the Barbary states. "I much apprehend that if we have to encounter Tunis, Tripoli, and Morocco, we will be compelled to give up the Mediterranean trade," he warned. Therefore he favored the payment of tribute to Tripoli as well as Morocco. That America was following a terribly inconsistent and illogical policy seemed clear to Gallatin. Commenting upon the possibility of settling peacefully with Tripoli he stated, "I consider it not greater disgrace to pay them than Algiers." Considered in relative terms Gallatin, unlike Jefferson, failed to see dishonor accruing to America from such a position. "We share the dishonor of paying those barbarians with so many nations as powerful and interested as ourselves that in our present situation, I consider it a mere matter of calculation whether the purchase of peace is not cheaper than the expense of war, which shall not even give us free use of the Mediterranean trade."[12]

Although war would achieve at best only limited

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[11]Gallatin to Jefferson, August 16, 1802, Jefferson Papers.

[12]Gallatin to Jefferson, August 16, 1802, Jefferson Papers.

American objectives, Gallatin feared that it would create more problems than it would solve. He speculated that the capture of American ships might result in payment of large sums for their redemption in addition to continued payment of tribute. The sum of Gallatin's suggestions was that while national honor constituted an important principle for a nation this consideration must be subordinated to present needs. "Eight years hence," he observed, "we shall, I trust, be able to assume a different tone; but our exertions at present consume the seeds of our greatness and retard to an indefinite time the epoch of our strength."[13]

Gallatin's sentiments coincided with Jefferson's views on relations with most nations, but the President frequently lost sight of his principles when the North African pirates were concerned. Hence he disregarded Gallatin's cautious but prudent advice. Instead he recalled a cargo of gun carriages earmarked for Morocco as tribute and ordered two frigates to prepare to sail to the Mediterranean. He calculated that this force combined with a Swedish fleet already in the troubled area would be sufficient to subdue America's enemies.[14]

Gallatin continued to argue that the Treasury could

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[13]Gallatin to Jefferson, August 16, 1802, Jefferson Papers.

[14]Thomas Jefferson to James Madison, August 23, 1802, Jefferson Papers; Thomas Jefferson to Albert Gallatin, August 23, 1802, Gallatin Papers; Thomas Jefferson to Robert Smith, August 30, 1802, Jefferson Papers.

not absorb the deployment of two more frigates. The New York was already scheduled to sail for France, but Gallatin strongly recommended that the John Adams not be allowed to embark. Upon hearing that the Emperor of Morocco had asked the American consul to remain, Jefferson planned to countermand the sailing of the second ship.[15] However, both Madison and Secretary of the Navy Robert Smith thought the ship should be sent, and Jefferson bowed to their wishes. This action deeply disappointed Gallatin, but Jefferson defended his decision on the basis of Madison's and Smith's support for the strong action. Yet the President was so impressed with his Treasurer's financial representations that he recommended that the expenses of the John Adams be recorded as "a debt incurred, the arrearages of which might be covered by a future appropriation."[16]

When Jefferson returned to Washington in October, 1802 news had reached the capital that peace had been made in Morocco. Moreover, danger of war with Tunis and Algiers had subsided. In a cabinet meeting on October 21 Gallatin's wishes were finally adopted, for $20,000 was appropriated as a guarantee that "a firm establishment of a state of peace" might follow with Morocco.[17]

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[15]Thomas Jefferson to Albert Gallatin, September 8, 1802, Gallatin Papers.

[16]Albert Gallatin to Thomas Jefferson, September 9, 1802, Jefferson Papers; Thomas Jefferson to Albert Gallatin, September 14, 1802; Jefferson to Gallatin, September 17, 1802, Gallatin Papers.

[17]Thomas Jefferson to Robert Smith, October 16, 1802, Jefferson Papers.

In 1803 the Emperor of Morocco was brought to terms. Meanwhile Tripoli captured the Philadelphia which had run aground. The crew of nearly three hundred was arrested and forced to perform hard labor. When news of the Tripolitan's action reached Washington in March, 1804, Jefferson resolved to raise a navy large enough to force the pirates both to release the prisoners and to submit to American terms. Gallatin reluctantly supported this decision which meant that the naval appropriations were raised to nearly $750,000 a year. In 1805 problems with Tripoli were settled temporarily when the United States paid $60,000 for the release of the Philadelphia prisoners.[18]

The disputes with the Barbary powers were minor compared to the issues that Napoleon Bonaparte was to raise over the Louisiana question. Although France had transferred Louisiana to Spain in 1763, French hopes for regaining this territory were aroused in the 1790's. Spain did not appreciate the importance of her inland empire because it failed to produce discernable wealth while remaining very costly to administer. After the Treaty of San Lorenzo of 1795 which opened the mouth of the Mississippi to the American frontiersman Spain realized her inability to defend the western bank of the Mississippi. Consequently France persuaded her to return Louisiana to its pre-1763 owners in the Treaty of San Ildefonso of October 1, 1800. In October, 1802, Spain issued the orders authorizing the turnover of this territory to France.

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[18]Walters, Gallatin, pp. 150-151.

The Treaty of San Ildefonso was secret, but rumors of the transfer drifted into official circles in the United States during 1801 and 1802. As early as May 29, 1801 Jefferson referred to the possibility in a letter to James Monroe. "We have great reason to fear that Spain is to cede Louisiana and the Floridas to France," the President confided to his fellow Virginian.[19] By the spring of 1802 Jefferson not only knew of the transaction, but he had also given considerable thought to the adjustment of American policy to this new situation. In a most remarkable letter to Robert R. Livingston, the American minister to France, the President discussed the tremendous impact of the French acquisition.

"The session of Louisiana and the Floridas by Spain to France works most sorely on the U.S.," Jefferson pointed out. That this transfer was one of the truly momentous events of history was clear. "It completely reverses all the political relations of the U.S. and will form a new epoch in our political course." Previously France and the United States enjoyed a great community of interest while having only a few conflicts. While France had previously been an American friend, this was changed with the French encroachment on New Orleans. "There is on the globe one single spot, the possessor of which is our natural and habitual enemy. It is New Orleans, through which the produce of three-eighths of our territory must pass to

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[19]Thomas Jefferson to James Monroe, May 29, 1801, Writings of Jefferson, VIII, 62.

market . . ." By stepping into this strategic center France proclaimed herself an enemy to the United States.[20]

Jefferson could tolerate Spanish control of New Orleans. Spain and America were on relatively good terms. In addition Spanish feebleness would inevitably lead to increased American influence there. New Orleans under Spanish control may well have fallen into American hands with relative ease. On the other hand, France with her impetuous temper and restless character would always be in friction with America.[21]

The consequences of actual French occupation of New Orleans would be tremendous. "The day that France takes possession of New Orleans fixes the sentences which is to restrain her forever within her low water mark. It seals the union of two nations who in conjunction can maintain exclusive possession of the ocean. From that moment we must marry ourselves to the British fleet and nation." America would be forced to turn her attention to the construction of a large naval force. Moreover, the outbreaks of war in Europe involving France would allow the United States to destroy any French settlements in the New World. While America neither sought nor desired such a policy, France would force this action upon her if she took New Orleans.[22]

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[20]Thomas Jefferson to Robert R. Livingston, April 18, 1802, Ibid., 144.

[21]Jefferson to Livingston, April 18, 1802, Ibid., 144-145.

[22]Jefferson to Livingston, April 18, 1802, Ibid., 145.

Jefferson saw only one alternative to an Anglo-American alliance directed against France. Cession of New Orleans and the Floridas "would certainly in great degree remove the causes of jarring and irritation between us." If France would be willing to make this arrangement, at the very least the United States would not be driven to desperate extremes. The President urged Livingston to prosecute the American case with utmost vigor.[23]

Jefferson's observations to Livingston were extremely remarkable for several reasons. First, the President's attention was concentrated entirely on the immediate problems of New Orleans and the Floridas. Either he failed to recognize the great significance of Louisiana as a whole, or he might have thought that without New Orleans, the gateway to control of the Mississippi River, France would not be able to build an empire in the West which could withstand the pressure exerted by expanding American frontiersmen. Secondly, the Napoleonic threat to the Southwest so disturbed him that even Jefferson's extreme distaste for Britain could not inhibit his willingness to turn to that nation in order to defend American interests.[24] Jefferson's consideration of such a drastic alternative suggests both his flexibility in adjusting his policies to unforeseen contingencies and

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[23]Jefferson to Livingston, April 18, 1802, Ibid., 146.

[24]Schachner, Jefferson, II, 716.

that an idealist when confronted with a crisis can become a realist.

Before receiving Jefferson's letter and instructions from Secretary of State Madison, Robert Livingston had attempted to persuade the French that they should not take New Orleans. If they did so, he tried to obtain the same rights enjoyed under Pinckney's Treaty. His efforts were uniformly rebuffed by Tallyrand often in hostile tones. In spite of these reversals he followed Madison's instructions which urged him to purchase both New Orleans and the Floridas.[25]

While these negotiations transpired, developments of great significance were taking place in America. In October, 1802 the Spanish Intendant at New Orleans suspended the right of deposit for American commerce. Westerners whose prosperity had been adversely effected by the Peace of Amiens were furious. Many feared that unless swift action was forthcoming the West would take matters into their own hands. Federalists were delighted at the prospects the situation offered them. Spain had given them their first genuine issue which they could exploit at the Republican's expense. They could slap France and at the same time support Western interests. Republican inaction could only play into their hands.

Obviously prompt and decisive measures on the part of the administration were necessary. During January, 1803 a resolution was introduced in the House of Repre-

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[25]Varg, Founding Fathers, p. 153.

sentatives which authorized the expenditure of $2,000,000 to purchase Florida and New Orleans. Meanwhile the West had been much cooler to Federalist advances than had been expected. They decided to give Jefferson a chance, and to confirm their faith the President sent James Monroe as Minister Plenipotentiary and Extraordinary to France and Spain.

Although Jefferson had established machinery to acquire the disputed regions, he was uneasy concerning the constitutionality of purchasing territory for the purpose of adding it to the United States. Attorney General Levi Lincoln doubted the constitutionality of territorial incorporation. Gallatin, disagreed with Lincoln's interpretation. "But does any constitutional objection really exist?," he asked rhetorically. After a thorough analysis of the whole question the Secretary of the Treasury concluded that "the power of acquiring territory is delegated to the United States by the several provisions which authorize the several branches of government to make war, to make treaties, and to govern the territory of the Union."[26]

Indeed this position marked a great shift from Gallatin's earlier strict constructionism. Surely this was not the same man who had been critical of many phases of the proposed federal Constitution in 1788. Perhaps a more realistic public policy maker was emerging under the

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[26]Albert Gallatin to Thomas Jefferson, January 13, 1803, Jefferson Papers.

forge of necessity. That Gallatin was challenging many of his ideas seems clear. At the same time the transition from agrarian idealism to a modified Hamiltonian realism was painful and not thorough-going by any means.

The logical conclusions drawn from his thorough evaluation of the constitutional problem disturbed him. After carefully developing an elastic interpretation Gallatin in an abrupt departure recoiled from his own findings. "I must, however, confess that after all I do not feel myself perfectly satisfied; the subject must be thoroughly examined; and the above observations must be considered as hasty and incomplete."[27]

His Treasurer's cogent reasoning convinced the President that territorial acquisition fell within constitutional limitations. "You are right," Jefferson wrote to Gallatin, "as to Mr. Lincoln's proposition; there is no constitutional difficulty as to the acquisition of territory." Whether the newly acquired territory could be incorporated into the Union consistent with constitutional principles "will become a question of expedience." Jefferson himself retained many of his legalistic scruples. "I think it will be safer," he concluded, "not to permit the enlargement of the Union but by amendment of the Constitution."[28] Like most skillful politicians the President retreated from this position when necessity dictated

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[27]Gallatin to Jefferson, January 13, 1803, Jefferson Papers.

[28]Thomas Jefferson to Albert Gallatin, March 3, 1803, Gallatin Papers.

speedy action.

Although James Madison and Thomas Jefferson exerted diplomatic pressure upon France, the United States acquired Louisiana because Napoleon decided to abandon his projects for the resurrection of a French empire in the New World. Santo Domingo formed a strategic link in this chain for that island would act as the military keystone for the French Western Hemisphere possessions. However, Santo Domingo was in revolt led by Toussaint L' Ouverture. Consequently French reconquest of the island was a prerequisite to empire. France was hard pressed to subdue the natives and after the loss of 50,000 Frenchmen Napoleon dropped his plans for reconquest. Other matters influenced the French decision as well. France desperately needed money, particularly if warfare resumed in Europe. In the event of war Napoleon contended that Louisiana could not be defended. Consequently in April, 1803 Napoleon instructed his ministers to sell all of the Louisiana territory to the United States.[29]

James Monroe arrived in Paris on April 12 one day after Napoleon's fateful decision. From his arrival until the signing of the treaty on May 2 Monroe and Livingston haggled over terms. Finally eighty million livres ($15,000,000) was agreed upon. Three-fourths of this amount was to be paid to France and the remainder to Amer-

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[29]James Madison's diplomatic role is spelled out in detail in Irving Brant, James Madison: Secretary of State 1800-1809 (New York: Bobbs-Merrill Company, 1953), pp. 111-140.

icans holding damage claims against the French government. In return France ceded "The colony or province of Louisiana, with the same extent that it now has in the hands of Spain, and that it had when France possessed it; and such as it should be after the treaties subsequently entered into between Spain and other states."

Although the treaties were signed May 2 and antedated April 30, news of the Louisiana Purchase did not reach the United States until the end of June. Albert Gallatin was delighted with the new acquisition. Prior to the cabinet level decision to negotiate for the Floridas and New Orleans the Secretary of the Treasury had noted the importance of the West. Gallatin's vision which was truly continental in scope did not stop at the Mississippi River but extended as far westward as the Pacific Ocean. The sprawling territory lying between the river and the ocean which was popularly referred to as the "Missouri Country" was desired by several powers including England. Legally this territory belonged to Spain, but many observers feared that renewed fighting in Europe would present a convenient rationalization for Britain to seize this area. In December, 1802 when President Jefferson suggested an exploring expedition to this country, Gallatin was intrigued. "I feel warmly interested in this plan," he responded.[30]

Gallatin encouraged Jefferson to pursue his project

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[30]Albert Gallatin to Thomas Jefferson, November 21 1802, Jefferson Papers.

for Western exploration. He believed future American settlement in this territory was inevitable. "The future destinies of the Missouri country are of vast importance to the United States, it being perhaps the only large tract of country, and certainly the first which, lying out of the boundaries of the Union, will be settled by the people of the United States."[31] That Gallatin placed a high value on this territory can be ascertained from his suggestion of "preclusive imperialism."[32] "The present aspect of affairs," he pointed out, "may ere long render it necessary that we should, by taking immediate possession, prevent Great Britain from doing the same."[33] When Jefferson appointed Captain Meriwether Lewis, head of the expedition, Gallatin enumerated some suggestions for their explorations. "The great object to ascertain," he wrote, "is whether from its extent and fertility that country is susceptible of a large population in the same manner as the corresponding tract on the Ohio."[34]

The news that Monroe and Livingston had purchased

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[31]Emphasis is Gallatin's. Albert Gallatin to Thomas Jefferson, April 13, 1803, Jefferson Papers.

[32]William L. Langer, "Farewell to Empire," Foreign Affairs, XLI (October, 1962), 115-130, uses this term in reference to the penchant of European nations to seize overseas territory before competing states could take it. While Langer's definition relates to the 1890's, it is this writer's contention that such an impulse motivated Gallatin in the early 1800's.

[33]Albert Gallatin to Thomas Jefferson, April 13, 1803, Jefferson Papers.

[34]Gallatin to Jefferson, April 13, 1803, Jefferson Papers.

the vast acreage of Louisiana in addition to New Orleans created a sensation among the American people and the Jefferson administration. This diplomatic success stretched far beyond anyone's wildest espectations. It also raised several formidable questions. First, the actual extent of the purchase was unknown. Tallyrand's evasive reply, "You have made yourselves a noble bargain, and I expect that you will make the most of it," was no substitute for clearly defined boundaries. It was by no means certain whether the Floridas, as crucial to the South as New Orleans and the Mississippi were to the West, were included in the purchase. Secondly, the amount of the purchase appeared colossal to an administration dedicated to thrift and retirement of the debt. Finally, constitutional justification for the transaction still was unsettled.[35]

Jefferson did not intend to decline the opportunity to more than double the territory of the United States, but he now doubted that the Constitution permitted this acquisition. This was a reversal of his position in March which necessitated amending the fundamental law. The President drafted an amendment, almost long enough to be a constitution in itself, which specifically permitted the incorporation of Louisiana in the United States and gave the federal government jurisdictional powers over the territory. He sent the members of his cabinet a

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[35]Schachner, Jefferson, II, 745-746.

copy of this document for their consideration. Gallatin's response indicated that he considered the amendment unnecessary. "The amendment to the Constitution is intended, I presume, for deliberation and reflection, but not for immediate decision," he replied.[36]

On July 16 the cabinet met to consider the Louisiana Treaty. Since ratifications had to be exchanged by October 30, and Congress was recessed until November, they decided upon a special session of Congress to be convened October 17. The cabinet also agreed that Monroe should be instructed to purchase the Floridas from Spain although as Jefferson recorded in his cabinet notes, "We are more indifferent about pressing the purchase of the Floridas, because of the money we have to provide for Louisiana, and because we think they cannot fail to fall into our hands."[37] Concerning the constitutional difficulty Jefferson planned to ask Congress to ratify the purchase, and then he intended to go to the country with his constitutional amendment.[38]

Alarming news from France caused Jefferson to drop his constitutional scruples. On June 2 Robert Livingston had written that Napoleon regretted the sale and would use any pretext to reverse his hasty decision. A similar letter from Monroe corroborated this observation. French

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[36]Albert Gallatin to Thomas Jefferson, July 9, 1803, Jefferson Papers.

[37]Schachner, Jefferson, II, 746-747.

[38]Brant, Madison, Secretary of State, pp. 141-142.

hesitancy caused the President to shift from an idealistic strict constructionism to a realistic elastic constructionism. "I infer that the less we say about constitutional difficulties respecting Louisiana the better, and that what is necessary for surmounting them must be done sub-silentio . . ."[39] In addition Jefferson now thought that the United States must prepare to ratify the treaty and take possession of Louisiana with great speed.[40]

At first Gallatin did not believe the rumors that France would not carry out the treaty, and he tried to convince Jefferson that his fears were ungrounded. However, he was a realist enough not to take any chances. "Although I do not share in the alarm of our ministers," he told the President, "I think it wise to be perfectly prepared as if it had a real ground, and that no time should be lost in having a supply of arms at Natchez."[41] By October Gallatin realized that time was of the essence. "Situated as we are as respects both France and Spain, every day may be precious," he reminded Jefferson.[42] Therefore he consistently supported the use of force against the Spanish at New Orleans if they refused to

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[39]Thomas Jefferson to James Madison, August 18, 1803, Writings of Jefferson, VIII, 245.

[40]Thomas Jefferson to Albert Gallatin, August 23, 1803, Gallatin Papers.

[41]Albert Gallatin to Thomas Jefferson, September 5, 1803, Jefferson Papers.

[42]Albert Gallatin to Thomas Jefferson, October 4, 1803, Jefferson Papers.

leave peacefully.

Gallatin also embarked on a unilateral policy designed to enhance American strength in the Southwest. In consultations with Congressmen from Kentucky and Tennessee he developed plans for "raising volunteers to assist the force already prepared for occupying New Orleans." He pressured the War Department into readying both men and supplies to descend on the city. He also drafted an act which Congress passed in modified form that authorized the government to take possession of the territory. After revealing his actions to the President, he apologized for superceding his duties as Secretary of the Treasury. Nevertheless, he considered his actions justified for several reasons. First, he believed a demonstration of strength would raise foreign opinion "of our forces, resources, and energy." Secondly, he thought that "to lose the object at this time" because of unwillingness to pursue bold measures would constitute an inexcusable evil.[43] Gallatin's actions in this instance provide an excellent example of the Jeffersonian idealist employing the methods of Hamiltonian realism.

Fortunately Gallatin's vigorous precautions were unnecessary. Spain yielded to the inevitable and turned over New Orleans and Louisiana to France. On December 20, 1803 W.C.C. Claiborne and James Wilkinson formally took possession of the inland empire for the United States. In doing so they opened a new chapter in American history.

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[43]Albert Gallatin to Thomas Jefferson, October 28, 1803; Albert Gallatin to W.C.C. Claiborne, October 31, 1803, Gallatin Papers.

CHAPTER V

THE SPANISH QUESTION

The Louisiana Purchase ranks as one of the greatest bargains in American history, but it was not a complete success. The American envoys, James Monroe and Robert Livingston had been instructed to buy both New Orleans and the Floridas with the latter considered of greater value. While securing the left bank of the Mississippi, they had apparently failed to purchase the Floridas. Since the exact boundaries of the purchase were unknown, Thomas Jefferson attempted to ascertain the extent of the new territory. After careful study of the treaty and old maps Jefferson concluded that West Florida as far east as the Perdido River was included.[1]

Beginning in July, 1803 American strategy dictated claims as far east as the Perdido. Wisely Madison merged these claims with an offer to buy all of Florida. In sending instructions to James Monroe the Secretary of State outlined many arguments designed to convince Spain to part with Florida. Possession of this southern territory drained the Spanish treasury in peace, and Florida could not be defended in wartime. Moreover, continued

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[1]Varg, Founding Fathers, p. 157.

Spanish control presented a perpetual obstacle to peaceful relations with the United States. The chances of British seizure of Florida in the European war were excellent, and Spain would be much better off with Florida in American rather than British hands. Madison proposed an offer of $2,500,000 as a price for all Florida. Under no circumstances would the United States agree to an exchange of territory on the West bank of the Mississippi for her desired objectives on the Gulf.[2]

Albert Gallatin did not share Jefferson's or Madison's enthusiasm for the Floridas. Nor did he originally agree with the President's interpretation that the Louisiana purchase included any part of the Floridas. Jefferson argued the point with his financier until late August, 1803 when Gallatin acquiesced. "I agree with you that we have a right to claim that part of West Florida which was part of Louisiana," the Treasurer conceded. Gallatin did not explain what had caused him to change his mind, but he may have done so out of loyalty to the Chief Executive or an unwillingness to invite further pressure from his Southern colleagues in the administration.[3]

After Louisiana had been transferred to the United States in December, 1803 the prime objective of American diplomacy was to acquire West Florida. The President in-

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[2]James Madison to James Monroe, July 29, 1803, quoted in Brant, Madison: Secretary of State, pp. 150-151.

[3]Thomas Jefferson to Albert Gallatin, August 23, 1803, Gallatin Papers; Albert Gallatin to Thomas Jefferson, August 31, 1803, Jefferson Papers.

tended to secure this coveted territory, and he pursued his goal in a highly belligerent manner. Secretary of State Madison, Pinckney, the American minister at Madrid, and James Monroe, who had been commissioned to help Pinckney, all shared the President's self-assertive attitude.[4]

On November 30, 1803 John Randolph introduced a bill in the House of Representatives which provided for the governing of Louisiana. This legislation also applied to the disputed areas in West Florida. Section four added "all the navigable waters, rivers, creeks, bays, and inlets lying within the United States which empty into the Gulf of Mexico east of the River Mississippi" to the Mississippi customs district. Thus Spanish held land as far as the Perdido was to be governed under American revenue laws. Section eleven gave the President discretionary authorization to establish the bay and river of Mobile and all waters flowing into the Gulf of Mexico east of Mobile as a separate customs district. This bill known as the Mobile Act was passed by Congress and signed into law on February 24, 1804.[5]

The Mobile Act which was strongly supported by Jefferson and John Randolph enjoyed general approval of the cabinet. Even before the bill was signed Jefferson had decided not to exercise his discretionary power in the disputed territory. Since this legislation did not spec-

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[4]Varg, Founding Fathers, p. 158.

[5]Schachner, Jefferson, II, 757; Brant, Madison: Secretary of State, pp. 192-193.

ify the eastern boundary of Louisiana, a certain measure of flexibility was retained for subsequent negotiations with Spain.[6]

Nor did the Mobile Act constitute a bludgeon to be used against Spain. The peaceful intent of that act was spelled out three days after its signing when Albert Gallatin sent instructions to the collector of the new District of Mississippi, Hore Brown Trist. Gallatin indicated that Jefferson intended to bargain for West Florida rather than forcefully seize it. "You are therefore to exercise no act of territorial jurisdiction within the said limits, though part of your district," Gallatin told Trist. The chief duties of the customs collector would be to check smuggling and refrain from action which would arouse Spain.[7]

The Mobile Act struck directly at Spain and somewhat indirectly at France, for both nations had declared that West Florida was not included in the Louisiana Purchase. Several weeks after the bill had become law Marquis Yrujo, the Spanish minister in Washington, entered the State Department armed with a copy of the loathsome legislation. Yrujo not only passionately condemned the law, but he also called for its repeal. Madison's explanations of the peaceful intent and discretionary provisions of the law, of course, did not calm the Spanish

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[6]Brant, Madison: Secretary of State, p. 193.

[7]Albert Gallatin to H.B. Trist, February 27, 1804, Gallatin Papers.

minister who viewed the act as a hostile measure.[8]

Although his actions in the early stages of the West Florida controversy indicate a strong loyalty to Jefferson and his administration, Albert Gallatin retained more objectivity on the Florida Question than either Madison or Jefferson. While his credentials as a nationalist were unquestionable, the Secretary of the Treasury as a northerner could not work himself into a highly emotional state over the necessity to acquire Florida. Far more than anyone else in the administration he was able to view both sides of this question with a large measure of impartiality. Consequently Gallatin could not in good faith to his own conscience completely defend the Mobile Act.

Clearly the Spanish minister's protests disturbed Gallatin, and he communicated his reservations to Secretary of State Madison who also held similar reservations. Both agreed that the terms of the Mobile Act would be difficult to justify "to impartial men." They were particularly concerned over the rule forbidding Spanish vessels from sailing to Baton Rouge. In conveying his reservations to Jefferson Gallatin indicated his fear that the administration had "not taken solid ground." He urged Jefferson to reconsider the whole question, and he suggested a method in which the President could make changes without losing face. "I will undertake to relieve the Executive from any apparent fluctuation by writing to Trist that the President, upon full consider-

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[8]Edward Channing, The Jeffersonian System 1801-1811 (New York and London: Harper and Brothers, 1906), p. 143.

ation of the instructions which I had given to the collector, has directed me to alter so much thereof." Jefferson agreed and ordered no interference with Spanish vessels at Baton Rouge and the other Spanish settlements in the disputed area were to be regarded as foreign ports.[9]

Jefferson called the cabinet into session in July to confer upon the Spanish Question and in particular the instructions to be sent to Monroe and Pinckney. Jefferson drew a number of conclusions from these discussions. First, acknowledgement of the Perdido constituted a sine qua non of negotiations but under no circumstances was territory west of the Perdido to be considered part of the purchase. Secondly, territory west of the Rio Bravo del Norte was not to be exchanged for the Floridas. Thirdly, an agreement which would prohibit American settlement in the western areas of the Louisiana Purchase for twenty years would be acceptable. Finally the United States would pay up to two million dollars for all Florida.[10]

During the drafting of Jefferson's annual message in October the necessity to clarify the meaning of the Mobile Act arose. In the first draft Jefferson had indicated that Spain had misunderstood both the terms and the objectives of the law which authorized "a district

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[9]Albert Gallatin to Thomas Jefferson, March 15, 1804, Jefferson Papers; Brant, Madison: Secretary of State, p. 196; Walters, Gallatin, p. 187.

[10]Thomas Jefferson to Albert Gallatin, July 3, 1804, Gallatin Papers; Thomas Jefferson to James Madison, July 5, 1804, Writings of Jefferson, VIII, 309-312.

and port of entry on the waters of the Mobile within the limits of the United States." Madison quickly pointed out that the act had provided a port outside United States territory. Gallatin also objected to the phrasing of this part of the message. "The public mind is altogether unprepared for a declaration that the terms and object of the Mobile Act had been misunderstood by Spain," cautioned Gallatin. He did not want to discredit the supporters of the administration who had defended the law. He also feared that the declaration might be "distorted into an avowal of some humiliating concession to Spain."[11] In accordance with Madison's and Gallatin's suggestions Jefferson made thorough revisions in his message by limiting Spain's misunderstanding to the object and not the terms of the law.[12]

In the meantime negotiations were being conducted in Madrid and Paris. James Monroe was sent from London to Paris and then on to Spain. Monroe and Pinckney spent five months in Madrid attempting to settle the outstanding problems. After making no progress they recommended the use of force, advice which was echoed by John Armstrong, American minister in Paris. As early as May, 1805 upon reading Armstrong's letters Madison became convinced that the negotiations at Madrid were doomed. On May 18 Monroe left Spain, but news of the definite

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[11]Albert Gallatin to Thomas Jefferson, October 29, 1804, Jefferson Papers.

[12]Writings of Jefferson, VIII, 328.

failure of negotiations with Spain did not reach the United States until August, 1805.[13]

Jefferson was disturbed not only that Spain had refused to reach an accord, but he was also alarmed at the apparent agreement between France and Spain which had stiffened the latter's attitude. When hostilities ceased in Europe, Jefferson worried that the United States might be isolated diplomatically. To provide for such a contingency the President hit upon the idea of an alliance with Great Britain. He suggested this action to both Madison and Gallatin for their consideration.[14]

In the meantime Gallatin had communicated his thoughts on the failure of the Spanish negotiations to Secretary of State Madison. Considering the Spanish demands he observed that the negotiations never had any chance of success. Gallatin thought that the main consideration was not to open negotiations again until the nation was strong enough to back its diplomacy with the prospective employment of force. For the time being "how to save character without endangering peace will be a serious and difficult question." The Treasurer's concern for his nation's welfare extended far beyond a theoretical pacifism, for he suggested that perhaps a dozen

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[13]Thomas Jefferson to James Madison, August 4, 1805, Jefferson Papers.

[14]Thomas Jefferson to James Madison, August 4, 1805, Jefferson Papers; Thomas Jefferson to Albert Gallatin, August 7, 1805, Gallatin Papers; Thomas Jefferson to James Madison, August 7, 1805, Jefferson Papers.

naval vessels ought to be constructed as "the most dignified and most forcible mode of reopening the negotiation." Yet Gallatin's support for this rather drastic action was lukewarm.[15] Nor did he think the United States should go to war for either the western boundary of Louisiana or the territory between the Mississippi and Perdido "after having omitted in our treaty of purchase to bind France to a certain construction of limits." In his opinion Spain's refusal to accept the claims convention was her most serious offense.[16] After reading the dispatches from Madrid Gallatin felt relieved, for he found "the situation of affairs is rather on a more decent footing than I had expected."[17]

Gallatin's views on the Spanish negotiation indicated a change of heart on the navy. In the past domestic considerations had dictated naval economy, but now he was willing to permit increased construction. In his answer to Gallatin James Madison also indicated a shift away from Jefferson's gunboat policy. "I have long been of the opinion that it would be a wise and dignified course,

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[15]The language Gallatin used in making this suggestion indicates his divided thoughts at the moment. "Perhaps a law making efficient provision for building a dozen ships of the line would be the most dignified and most forcible mode of reopening the negotiation; but it will be a doubt with some whether the remedy be not worse than the disorder." Albert Gallatin to James Madison, August 6, 1805, Madison Papers.

[16]Albert Gallatin to James Madison, August 6, 1805, Madison Papers.

[17]Albert Gallatin to James Madison, August 12, 1805, Madison Papers.

to take preparatory and provisional measures for a naval force," the Secretary of State indicated to Gallatin. Madison thought the Spanish question made implementation of a new naval policy urgent. In other particulars Madison agreed with Gallatin's evaluation of the situation.[18]

On August 7 Jefferson asked his cabinet officers for recommendations on the course which the United States ought to pursue toward Spain. Gallatin considered this problem for the better part of a month before answering. During this period the Treasurer's mind was diverted from public business by the illness of one of his children who finally died. Yet Gallatin's analysis of September 12, 1805 stands as a model for thorough and judicious examination of a public question. Not only did he cover the whole question in detail, but he also wrote in "a spirit of judicial fairness towards Spain very unusual in American state papers."[19]

Gallatin began by considering the alternative of resorting to war to obtain redress of grievances over the "boundaries of Louisiana, East and West" and "spoliations, refusal to ratify Convention, and French Spanish captures." First he evaluated the rationality of war over the Western boundary and concluded that no good reason could be advanced to justify a war for that object since American claims were based on doubtful criteria. However, he

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[18]James Madison to Albert Gallatin, August 8, 1805, Gallatin Papers.

[19]Adams, Life of Gallatin, p. 334.

favored using the undefined claim in the West as a lever in negotiating for the eastern boundary, an issue which he considered more crucial. If no agreement was reached on the west, Gallatin believed the disputed territory would fall into American hands, for "the natural growth of the United States will hereafter naturally enforce the claim to its full extent."[20]

Gallatin believed the American claim to an eastern boundary on the Perdido much more justifiable. Yet he thought that war over the boundary could not be entirely justified because the claim rested on the construction the United States placed on the Treaty of San Ildefonso. Furthermore no attempt had been made by Monroe and Livingston when negotiating for Louisiana to secure the territory between the Mississippi and the Perdido. "The manner in which the treaty is drawn," Gallatin observed, "betrays either unpardonable oversight or indifference to that object, and a disposition to trust to a mere contingency for securing it." Even more damaging was the fact that Spain had not been consulted. If Spain and France had made prior agreements over the disputed territory, Spain was justified in opposing American demands in spite of French duplicity. Finally the United States knew very well that neither Spain nor France considered the disputed territory part of the Treaty of San Ildefonso. Taking an unusually objective stance Gallatin pointed out, "Laussat

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[20]Albert Gallatin to Thomas Jefferson, September 12, 1805, Jefferson Papers.

was instructed to demand and the Spanish officers to deliver, east of the Mississippi, that part only which is in our possession."[21]

In contrast to the boundary questions the spoliation claims appeared "a more just cause of war." However, previously the United States had not considered this issue momentous enough to engage in hostilities if negotiations broke down. Moreover, the chief reason Spain refused to settle the claims convention lay in the American insistence on incorporating a reference to future American claims based on French spoliations against American property in Spanish ports. Since this expression neither guaranteed the recognition of future American demands nor excluded her from persuing them, Gallatin believed this problem did not justify war.[22]

None of the issues at stake merited the use of force. Both moral and practical reasons existed for the United States to avoid war. America and the Jefferson administration were held in high regard by other nations because of policies of wisdom, moderation, and justice. War could only lower that prestige. On the practical side many undesirable consequences would ensue from hostilities. Commerce would be considerably disrupted, and revenue would drop sharply. Increased spending for

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[21]Gallatin to Jefferson, September 12, 1805, Jefferson Papers.

[22]Gallatin to Jefferson, September 12, 1805, Jefferson Papers.

war would mean loans or new taxes. Nor did the gains America could expect from war justify that policy. Probably the boundaries would be settled to American desires, and Florida might be acquired. However, the Treasurer did not expect that Spain would ratify the claims convention under any conditions. "What are both Floridas worth?", Gallatin asked rhetorically. "What were we willing to give for them? And what would be the cost of one year's war? Not merely the positive expense, but the national loss?"[23] Gallatin concluded that a war would be most unprofitable for the young nation. "That there is a point where forbearance must cease cannot be doubted;" he stated, "whether we have reached that point in relation to Spain I doubt."

In fact Gallatin thought that injuries suffered at the hands of the British were far worse than anything Spain had done. He believed that the United States could take the Floridas and seize "the miserable establishments of Sante Fe and San Antonio." However, America could not strike the sort of bold blows which would force Spain to her knees. A most decisive stroke would be accomplished by seizing Havana, and Vera Cruz but this could not be done without great expense and naval cooperation from the British. Without these exertions America's fate would depend on French policy. Gallatin feared that in case of war with Spain "our fate becomes

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[23]Gallatin to Jefferson, September 12, 1805, Jefferson Papers.

linked to that of England, and the conditions of our peace will depend on the general result of the European war. And this is one of the worst evils which the United States could encounter; for an entangling alliance, undefined debts and taxes, and in fine a subversion of all our hopes, must be the natural consequences."[24]

The Treasurer believed that renewed negotiations would bring at least three benefits to the United States. First, at best the questions might be solved permanently, but at worst temporary agreements might prevent war. Secondly, America could modify her demands so that Spanish refusal to negotiate would place responsibility for the diplomatic crisis on Spain's shoulders. Thirdly, time would be gained to prepare America for war. He differentiated between "active negotiations" by which he meant talks designed to work out all existing differences and "suspension of discussion" by which he meant "some temporary agreement which, without affecting the question, might save the rights and credit of both nations, leaving the final result to future contingencies."[25]

Gallatin then outlined a series of compromises which he thought both sides could accept. As far as boundaries were concerned he believed that chances of negotiating a settlement were poor, for he surmised that

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[24]Gallatin to Jefferson, September 12, 1805, Jefferson Papers.

[25]Gallatin to Jefferson, September 12, 1805, Jefferson Papers.

France was the key to such an arrangement. Consequently he suggested empowering the American ministers in Paris and Madrid to make an agreement including the Sabine and Perdido Rivers as boundaries in Louisiana. In the meantime he urged propositions for a temporary arrangement. He proposed an agreement to respect the status quo on the Louisiana boundaries. Both nations should agree not to construct any new military posts, but both should be left free to reinforce any existing posts. He favored saying nothing about settlements, for the western boundary questions could be used as an inducement to persuade Spain to settle the eastern boundary at the Perdido. Gallatin also proposed an agreement on free navigation of the Mobile. Believing the claims convention to be the most difficult problem Gallatin suggested that ratifications be exchanged which would exempt the problem of American compensation for French spoilations should Spain have no other objections to the convention.[26]

The problem of new aggression by French and Spanish privateers operating from Cuba caused great concern. If Spain appeared amenable to agreeing on other issues, Gallatin suggested that the United States make representations to Spain similar to ones made to other aggressors. However, if Spain refused to agree on settlement of any of the other issues, he suggested that the United States "press the subject with great force upon them." Gallatin

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[26]Gallatin to Jefferson, September 12, 1805, Jefferson Papers.

concluded his recommendation on this question by urging that if Spain would ratify the Convention, then each subject should be taken up separately. "But if no ratification is expected, all three, convention, status quo, and new aggressions, should be pressed together on Spain."[27]

Gallatin also included a consideration of preparations that Congress might undertake. Observing that the recent peace with Tripoli meant an annual surplus of two million dollars he speculated that most of this surplus would be applied to the creation of a navy. If Congress decided on building a navy, Gallatin cautioned against half-way measures. An American navy ought to be strong enough to "impress other nations that we are in earnest about it." Gallatin thought that enough money was available to "lay the foundation of an efficient navy." He also thought that construction of a navy would have a desirable effect on America's foreign relations and perhaps even on the present negotiations with Spain. The Treasurer had some misgivings about the course that he was proposing, but he thought the decision on the navy must be made after a sober evaluation of all sides of the question:

> Whether the creation of an efficient navy may not, by encouraging wars and drawing us in the usual vortex of expenses and foreign relations, be the cause of greater evils than those it is intended to prevent, is not the question which I mean to discuss. This is to be

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[27]Gallatin to Jefferson, September 12, 1805, Jefferson Papers.

> decided by the representatives of the nation; and although I have been desirous that the measure might at least be postponed, yet I have had no doubt for a long time that the United States would ultimately have a navy. It is certain that so long as we have none, we must perpetually be liable to injuries and insults, particularly from the belligerent powers, when there is a war in Europe; and in deciding for or against the measure Congress will fairly decide the question whether they think it more for the interest of the United States to preserve a pacific and temporizing system, and to tolerate those injuries and insults to a great extent, than to be prepared, like the great European nations, to repel every injury by the sword.[28]

Gallatin concluded his lengthy memorandum by recommending the adoption of pacific measures with reference to Spain. War would interfere with his plans for retiring the debt, but by 1809 financial matters would be placed on such a footing that over three and one-half million dollars would be available for pressing demands of state. These considerations underscored "the importance of our preserving peace" until 1809.[29]

The Treasurer's desire to keep peace represented not only his thoughts but also the opinions of leading merchants, insurance agents, and friends of the administration. "I am asked every day whether there is any prob-

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[28]Gallatin to Jefferson, September 12, 1805, Jefferson Papers.

[29]Gallatin to Jefferson, September 12, 1805, Jefferson Papers.

ability of a war with Spain," he told Jefferson. From conversations with his friends Gallatin believed that war would be unpopular. Few thought the boundary question worthy of hostilities, but more concern sprang from Spanish refusal to ratify the claims convention and the continued Spanish depredations against American commerce. However, in the final analysis the strongest sentiment counseled peace.[30]

During October Jefferson dropped the idea of a British alliance. He did so only after the news of Pitt's third continental coalition against Napoleon. This development guaranteed at least another year of warfare in Europe and further removed the possibility of the United States facing a hostile combination of France and Spain. Even if the United States was forced into a war Jefferson now favored action which would allow America to enter it "without fettering ourselves with an alliance." Then the United States would "be free to retire whenever our terms can be obtained."[31]

The expanding war in Europe also presented another opportunity for the United States to make an effort "for a peaceable accommodation with Spain." Jefferson suggested that talks be reopened at Paris with Armstrong or Armstrong and Monroe as the negotiators. Thus France could act as a

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[30]Albert Gallatin to Thomas Jefferson, September 13, 1805, Jefferson Papers.

[31]Thomas Jefferson to Albert Gallatin, October 23, 1805, Gallatin Papers.

mediator, and the purchase of the Floridas would constitute the means.[32]

On November 12 the Cabinet met and came to an agreement on Spanish affairs. Both East and West Florida would be purchased for five million dollars. Moreover, the United States was determined to collect the spoliation claims. Only two concessions were made to Spain. The western boundary of Louisiana was set at the Colorado River then due north to the highlands whose waters ran into the Mississippi or Missouri Rivers. Also a thirty year prohibition was placed on the western settlement of Louisiana. In the beginning Gallatin was reluctant to advocate purchasing Florida in the face of widespread rumors of war for fear that it would seem that the United States was purchasing peace. However, the Secretary of the Treasury was persuaded that such an opportunity might not arise again. Therefore he withdrew his opposition, and the cabinet unanimously endorsed the plan.[33]

On December 3, 1805 President Jefferson sent his annual address to Congress. The message was particularly bellicose in reference to Spain. Jefferson strongly criticized the Spanish not only for refusing to ratify the spoliation claims but also for renewing commercial depredations. Spain also was indicted for harassing American commerce on the Mobile. Moreover, Spain had declined

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[32]Jefferson to Gallatin, October 23, 1805, Gallatin Papers.

[33]Writings of Jefferson, VIII, 383-384; Brant, Madison: Secretary of State, p. 290.

to adjust the boundaries of Louisiana, and Spanish troops seized American property in parts of Louisiana to which the United States held an undisputed title. Therefore Jefferson had alerted troops in the Louisiana area to protect American citizens and "to repel by arms any similar aggressions in the future."[34]

In his annual address Jefferson had promised that further details would be sent to Congress at a later date. Jefferson's strategy in dealing with Spain in December, 1805 encompassed a two-headed policy similar to action taken in 1802 when Spain had withdrawn the right of deposit at New Orleans. Then he had taken a bellicose stand in a public message while making provision for peaceful settlement through negotiations. Since he planned to follow the same course with Spain, he drafted a secret message to be sent to Congress. Albert Gallatin carefully read the message and made a number of suggestions that Jefferson adopted. The Gallatin revisions helped soften the impact of the message. For example the Treasurer recommended that Jefferson strike out a clause accusing Spain of avoiding explanations and substitute a sentence saying that she avoided any "proposition leading to an arrangement." He also rewrote a sentence which condemned France too strongly for her silence. He even suggested structural changes to make the message's meaning clearer.[35]

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[34] Writings of Jefferson, VIII, 390-391.

[35] Albert Gallatin to Thomas Jefferson, "Remarks on Spanish Message," December 3, 1805, Jefferson Papers.

Although Jefferson accepted most of Gallatin's specific suggestions, he ignored his Treasurer's overall criticism of the message. Gallatin expressed one major reservation on the thrust of the whole message: he thought it did not clarify the final objectives. "Omission of the word Florida may lead to error," warned Gallatin. The Treasurer also objected to a lack of candor on Jefferson's part. "Nor does the message convey the idea that in order to effect an accommodation a much larger sum of money will probably be requisite than has been contemplated," wrote Gallatin. His appeal for a recognition that "greater means" might be needed fell on deaf ears.[36]

Jefferson also drew up a series of resolutions which he intended to submit to Congress. Conforming to his usual custom the President sent these proposals to his cabinet members for their comments and suggestions. Gallatin drew up a careful commentary on the Spanish Resolutions. First, he enumerated the three objectives to be obtained from Congress: (1) public resolutions professing support of legitimate American claims in case no settlement should be achieved (2) private expression by Congress that they would enable the President to make peaceful arrangements as suggested in the private message (3) immediate appropriation of a sum to carry out the proposed arrangements. Since the Executive had sent two distinct messages to Congress, the public resolutions would

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[36]Gallatin to Jefferson, "Remarks on Spanish Message," December 3, 1805, Jefferson Papers.

have to be kept distinct from the private ones. Gallatin focused on the fifth resolution which provided: "Resolved, that in support of these resolutions, and of the consequences which may proceed from them, the citizens of the United States, by their Senate and Representatives in Congress assembled, do pledge their lives and fortunes; and that the execution of these resolutions be vested with the President of the United States."[37] The Treasurer saw no reason for the solemnity of the fifth resolution. He recommended that it be revised to authorize the President to carry out the resolutions. Gallatin also urged that the United States should make it clear that she would not abandon claims for spoliations provided for in the draft convention with Spain.[38]

Jefferson carefully considered Gallatin's suggestions on the resolutions. The following day he submitted a revised set of propositions to Gallatin claiming that he had adopted his suggestions. "Enclosed is a revised edition of the Spanish resolutions, in which you will find most of your ideas conformed to," wrote the President. Jefferson had included his Treasurer's suggestions relative to the fifth resolution and the Claims Conventions. In addition Jefferson stated, "In the message also I have adopted all of your amendments except the last, which respected merely the arrangement of the phrases, and could not be satis-

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[37] Writings of Jefferson, VII, 398.

[38] Albert Gallatin to Thomas Jefferson, "Remarks on Spanish Resolutions," December 3, 1805, Jefferson Papers.

factorily altered."[39]

No matter what Jefferson said the secret message read to Congress on December 6 fell considerably short of Gallatin's ideas. In this message Jefferson referred to the unsuccessful negotiations conducted by Monroe and Pinckney at Madrid and Spanish unwillingness to settle any claims or the limits of Louisiana. Even worse in Jefferson's eyes, "They authorize the inference that it is their intention to advance on our possessions until they shall be repressed by an opposing force." The President hoped that France would encourage a settlement of all the outstanding questions between the United States and Spain. Moreover, he pointed out that the crisis in Europe created favorable conditions under which a settlement might be reached. "Formal war is not necessary," Jefferson observed. "It is not probable it will follow. But the protection of our citizens, the spirit and honor of our country, require that force be interposed to a certain degree. It will probably contribute to advance the object of peace."[40] Nowhere was Florida mentioned.

Beginning in December, 1805 Albert Gallatin played an increasingly important role in the Spanish affair, for he acted as the liason man between the administration and Congress. On December 7 he contacted Joseph H. Nicholson of Maryland, a leading Republican Congressman and his wife's

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[39]Thomas Jefferson to Albert Gallatin, December 4, 1805, Gallatin Papers.

[40]Writings of Jefferson, VIII, 400-402.

cousin, to elicit support for the Spanish Resolutions. The following day John Randolph of Roanoke, the Chairman of the House Ways and Means Committee and a good friend of Gallatin's, conferred with Jefferson on the Spanish Question. Upon learning that two million dollars was necessary to purchase Florida Randolph told Jefferson that he could not support such a measure because the money had not been requested in the message to Congress and because "after the total failure of every attempt at negotiation, such a step would disgrace us forever." Randolph's opposition endangered the whole scheme, and after almost two weeks of inaction Gallatin directly confronted Randolph on the matter. On December 21 as Randolph was about to enter a committee room Gallatin buttonholed him and requested his support for the Florida purchase scheme.[41]

Randolph left the meeting with Gallatin still determined to impede the progress of the bill. Seven weeks later in February, 1806 Congress voted to appropriate two million dollars for "extraordinary expenses" in foreign relations which meant the purchase of the Floridas. Other resolutions authorizing the President to raise troops to protect the Southern frontier and approving an exchange of part of western Louisiana for the Floridas were also approved although by narrow margins. These administration victories were accomplished despite Randolph's strong

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[41] Albert Gallatin to Joseph Hopper Nicholson, December 7, 1805, The Writings of Albert Gallatin, ed. Henry Adams (Philadelphia: J.P. Lipincott, 1879), I, 282. Adams, Life of Gallatin, pp. 338-339.

opposition.[42]

In April John Randolph openly attacked Jefferson's foreign policy. The Virginia obstructionist argued that the administration's policy was designed to give Secretary of State Madison credit for standing up to Spain while asking Congress to truckle to her. Henry Adams described Randolph's attitude as "Honestly indignant at what he considered a mean attempt to bribe one nation to join in robbing another." Randolph considered "the whole transaction only worthy of Madison's groveling character." Randolph's opposition led to a split in the Republican Party which was more annoying to the administration than really serious. When Randolph extended his criticism to Jefferson, he was removed from the chairmanship of the powerful House Ways and Means Committee. Even Randolph's friends were punished, for Nathaniel Macon was removed as Speaker of the House.[43]

Randolph's actions symbolized dissatisfaction with Jefferson's policy toward Spain. Negotiations in Madrid drifted on in 1806 and 1807 without reaching any settlement. Surely Spain could have made a better accommodation in 1806 than she did in 1819, but Spanish diplomacy was largely negative and inept at this time. Consequently James Monroe, one of the negotiators at Madrid, reaped

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[42]Adams, Life of Gallatin, p. 339; Walters, Gallatin, p. 190.

[43]Henry Adams, History of the United States During the Administrations of Thomas Jefferson and James Madison (New York: Charles Scribner's Sons, 1889), III, 137-139.

much credit for the purchase of Florida during his Presidency.

Albert Gallatin's activities relative to the Spanish Question are significant for several reasons. First, a number of his suggestions on policy were accepted by Jefferson. Thus he was important in shaping and modifying to some extent American policy. Secondly, he provided an important and highly realistic alternative to the President's policies which may be best characterized as "bluster and bluff." Gallatin's memorandum of September 12, 1805 is the best illustration of his diplomatic realism. Finally, Gallatin's views on relationship between the ability to use force and diplomacy were changing. He was now willing to countenance the construction of a large naval force as the best method of deterring injuries against the United States. The Treasurer's policies on the Spanish Question indicates a transition from Old Republicanism to New Republicanism.

CHAPTER VI

CRISIS IN ANGLO-AMERICAN RELATIONS

The anti-British orientation of the Republican Party while the Federalists were in power did not bode well for Anglo-American relations. However, the Republican administration continued the cordiality ushered in with the Jay Treaty in 1795. Good relations were made possible by the return of peace in Europe. The cessation of hostilities removed the conditions which had forced Britain to harass neutral commerce and impress seamen. In addition, the Republican leaders moderated their tone toward England when they found it necessary to formulate foreign policy rather than to act as critics of Federalist policy. The President informed the British charge des affaires, Edward Thornton, that his administration would be as friendly as the previous Federalist government. Also American objectives in the Southwest, chiefly the desire for Florida, led Jefferson to consider a British alliance as a means to that end. Truly the early years of Jefferson's first administration marked the continuation of a rapprochement with Britain.[1]

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[1]Bradford Perkins, The First Rapprochement: England and the United States 1795-1805 (Philadelphia: University of Pennsylvania Press, 1955), pp. 129-131.

Following the renewal of European hostilities in 1803, after only a nineteen month truce, Anglo-American relations deteriorated to some extent. During the summer of 1804, in an attempt to seize Jerome Bonaparte who was known to be departing for France, H.M.S. Cambrian searched a number of American vessels within New York harbor. This flagrant violation of American neutrality both aroused public opinion and raised the President's ire against Britain. Nevertheless, both Britain and France followed a cautious policy, and few incidents resulted. At the same time the President's strong desire to obtain Florida caused him to exercise restraint. The Virginia philosopher did not hesitate to court the use of British power to help fulfill American objectives against Spain.[2]

In the months immediately following the renewal of fighting the United States derived much benefit from the hostilities. The American merchant marine as the largest neutral carrier transported noncontraband goods to and from the colonies of the belligerents. This situation led to the accumulation of considerable wealth in America. Since Britain had swept French shipping from the seas, both France and Spain had opened their colonies in the West Indies to neutral shipping. To stop this practice Britain had invoked the Rule of 1756 which stated that ports closed to a nation in peace time were not open to her in war time. However, this rule did not apply to commerce in American bottoms between the Caribbean Islands

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[2]Ibid., p. 177

and the mainland of the United States. Consequently, American shippers circumvented this British restriction by means of the "broken voyage" or the shipping of goods from the West Indies to a port in the United States where it was supposedly unloaded, taxed, and then reloaded for a journey across the Atlantic. Britain tolerated this action, and the doctrine of the "broken voyage" had been upheld by British courts as late as 1800 in the Polly case.

A sharp departure in British policy toward the United States appeared in the spring of 1805. In a series of cases including the celebrated Essex case British admiralty courts suddenly ruled that neutral bottoms carrying goods between the West Indies and the Mother Country were liable to seizure even though they stopped in the United States. These decisions required that new proof be submitted to demonstrate convincingly that a "broken voyage" was not really a continuous voyage in disguise. Many American ships were seized under the new rulings. The efficient enforcement of these decisions threatened to ruin American commercial interests. Especially galling was the practice in which British ships hovered barely outside of American ports in a manner which virtually established blockades.[3]

The dramatic shift in the course of the war in 1805 also modified British and French policy toward the United States. On October 21, 1805 Admiral Nelson smashed a

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[3]Varg, Founding Fathers, p. 175.

combined Franco-Spanish fleet at Trafalgar. This stirring naval victory which cost Nelson his life had a double significance: it confirmed British mastery of the seas and it ended fears that Napoleon might invade England. The following month Napoleon achieved domination on the continent with his victory at Austerlitz. The war now became stalemated, for Britain was invincible on the high seas and France was master of the continent. Drastic measures would be needed to defeat the enemy.

At approximately the same time that British seapower was reasserted James Stephen, a British lawyer, published a pamphlet entitled, War in Disguise; Or, the Frauds of Neutral Flags. This publication was more than a legal brief, for it also enjoyed the blessings of high figures in the British government. Stephen's tract expanded upon the principles lying at the basis of the Essex decision. The author accused neutrals, especially the United States, of fraudulently sheltering enemy property. In short, the neutrals were responsible for sustaining France and prolonging the war. The only remedy lay in the rigid enforcement of Britain's maritime laws with the end of disrupting completely the enemy's colonial trade. War in Disguise had a powerful effect on British opinion, for it rallied support behind a policy that treated neutrals harshly. In the United States War in Disguise was widely read and roundly criticized.[4]

James Madison countered the British jurist's con-

[4]Perkins, First Rapprochement, pp. 180-181.

tentions in an extended essay entitled Examination of the British Doctrine Which Subjects to Capture a Neutral Trade Not Open in Time of Peace. Although this work was anonymous, the phrasing, arguments advanced, and logic of the piece identified the author. Madison argued that the Rule of 1756 conflicted with both international law and previous British court decisions. Nor had English conduct consistently adhered to this ruling. For example, Britain herself had opened her colonies to neutral shipping in war time. The Secretary of State also marshalled impressive evidence to show that Britain herself traded with the enemy and invited the enemy to trade with her colonies. After his exhaustive analysis Madison concluded that recent British action could be explained only in terms of "a mere superiority of force."[5]

When Congress assembled in December, 1805 strong sentiment in that body supported measures which would assert American rights on the high seas. Impressment was singled out as the most serious British transgression. Congressional opinion remained constant during the dreary winter, and in January, 1806 President Jefferson delivered a special message to Congress on the problems of neutral trade and impressment. Secretary of State Madison also supplied a summary of changes in British policy. The effect on Congress was electric, for resolutions to bar all imports from Britain were introduced. Albert Gallatin persuaded his brother-in-law, Joseph Hopper Nicholson of

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[5]Brant, Madison: Secretary of State, pp. 297-299.

Maryland, to introduce a more moderate resolution which stipulated that the prohibition be limited to British goods that could be either manufactured in the United States or that could be supplied by other nations. In April Nicholson's non-importation resolution was passed by the overwhelming vote of eighty-seven to thirty-five. The measure was not to take effect until November in hopes that in the meantime Britain would be induced to reverse her stringent policies.[6]

At the very time the Republican dominated Congress was flexing its muscles against Britain a new ministry came to power in Britain. The new government, popularly referred to as the Ministry of All Talents and headed by Lord Grenville, installed Charles James Fox as foreign minister. Originally the new government was inclined toward moderation with respect to the United States, but the passage of the Non-Importation Act stiffened British resistance.[7]

To facilitate negotiations with England President Jefferson had sent William Pinkney, a Maryland lawyer, to join James Monroe, the regular American minister in London. These two American representatives were authorized to settle all the outstanding disputes between the two nations including the problems of "broken voyages" and indemnity payments for maritime spoliations. However,

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[6]Ibid., pp. 313-316; Walters, Gallatin, p. 193.

[7]Varg, Founding Fathers, p. 178.

Monroe and Pinkney were specifically instructed not to sign a treaty which did not renounce the right Britain had claimed to impress sailors from American vessels on the high seas.

In the course of the negotiations it became clear that the American ministers would not succeed in negotiating a treaty if they insisted on Britain revoking the Rule of 1756 and dropping the right of impressment. Gradually the American envoys embraced the position that a treaty which ironed out some of the issues would be better than no treaty at all. Consequently, they ignored their instructions to the extent of signing a treaty on December 31, 1806 which did not exclude the British right of impressment although it carefully circumscribed it. A memorandum was included in the treaty which outlined the points of difference on that question. Yet the Monroe-Pinkney treaty did contain advantages for the United States, and it must be considered from this point of view. Commercial concessions were won largely in the form of approval of the re-export trade if the goods actually paid duties in the United States. James Monroe defended the treaty in a letter to the President arguing that it was the best treaty that "could reasonably have been expected."[8]

Taking into consideration all facets of the situation in 1806 undoubtedly Monroe was correct, and the actions of the American ministers at London must be considered real-

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[8]W.P. Cresson, James Monroe (Chapel Hill: The University of North Carolina Press, 1946), pp. 224-227.

istic. During the last days of the Monroe-Pinkney negotiations French action further muddied the waters. On November 21, 1806 Napoleon issued the Berlin Decree stating that the British Isles were in a state of blockade and that any American ship trading with Britain or allowing herself to be searched by Britain was liable to French seizure. At the last minute Britain included a provision in the Monroe-Pinkney Treaty stipulating that they expected the United States to resist the Berlin Decree.[9]

The Monroe-Pinkney Treaty was doomed once its terms reached the United States. Thomas Jefferson thought that the nations would be better off without a treaty rather than agreeing to one which failed to settle the impressment issue. The more the President considered it the angrier he became. Jefferson worked himself into a state of mind in which he considered the handiwork of Monroe and Pinkney even worse than the Jay Treaty. Before he would even consider a treaty with Britain a number of changes would have to be made. These alterations included British renunciation of impressment, the removal of all limitations on American trade between the West Indies and Europe including the repeal of the necessity for the "broken voyage," the recognition of claims for indemnity arising from illegal British seizures, and a substantial modification of the rider which made any

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[9]Ibid;, pp. 228-229.

treaty contingent on American refusal to honor the Berlin Decree. Jefferson persuaded his Cabinet to agree to these modifications although the Cabinet preferred to see the treaty sent to the Senate.[10]

Rather than taking his Cabinet's advice Jefferson returned the treaty to the ministers in London along with his recommendations for alterations. In the meantime the President and his Secretary of the Navy Robert Smith were engaged in devising a project to threaten the British and the Spanish. This was the famous and terribly ill-fated gunboat scheme. This idea was not new. Indeed the gunboat was a basic alteration which Jefferson had conceived early in his first administration. These vessels were little more than their name implied: flatboats or platforms on which cannons and heavy guns could be mounted. They were purely defensive in purpose and could only be used to protect harbors and river mouths. To Jefferson these floating forts would provide the answer to the nation's needs. They were cheap in comparison to a navy, and their purpose was to protect American soil and prevent harbor incidents. What Jefferson largely ignored was that they were unwieldly, almost totally helpless in rough water, and terribly vulnerable.[11]

As early as February 28, 1803 Congress had auth-

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[10]Thomas Jefferson to James Madison, February 1, 1807, Madison Papers; Thomas Jefferson to Albert Gallatin, February 1, 1807, Gallatin Papers; "Notes," 1807; "Draft Observations," March 21, 1807, Jefferson Papers.

[11]Schachner, Jefferson, II, 788-789.

orized the construction of a number of these gunboats, but in late 1804 only a handful were ready. The President returned to this scheme in the winter of 1806-1807. In a special message of February 10 he recommended the eventual construction of 200 gunboats, 123 of which were to be built during 1807-1808. Prior to delivering this message he sent it to the Secretary of the Treasury for his comments.

Gallatin saw no reason for building so many of these vessels. Not only were they expensive to construct, but the maintenance of them would prove costly. Moreover, since they could be provided fairly quickly and would really only be needed in case of war he recommended a drastic cutback in their number, "Of all the species of force which war may require," he wrote, "there is none which can be obtained in a shorter notice than gunboats, and none therefore, that it is less necessary to provide beforehand." Gallatin sought to restrain Jefferson further by recommending that Congress be allowed to consider this issue carefully and decide whether new gunboats were needed.[12]

Clearly the Secretary of the Treasury found Jefferson's pet project distasteful. However, Jefferson rejected Gallatin's careful and well reasoned advice. The President claimed that Gallatin overestimated both the costs of construction and maintenance. Nor did Jefferson think enough boats could be built in case of an actual emergency. "An enterprising enemy," he declared in rebuttal

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[12]Albert Gallatin to Thomas Jefferson, "Notes Respecting Gunboats," February 8, 1807, Jefferson Papers.

to his parsimonious Treasurer, "could destroy our seaports and construction yards as the first operation of war."[13]

While the President unveiled his enhanced gunboat policy, changes were taking place in Britain. George Canning, who became foreign minister in early 1807, embarked on a policy designed to crush the United States as a strong maritime power. One of the reasons for this determination was the fact that desertion from the British navy increased as conditions worsened during the war. Canning proposed that Britain return to her traditional position that if a man was born an Englishman he was always an Englishman. In other words, Britain claimed the right to impress any native Englishman whether he was a naturalized American citizen or not.

Since impressment stood as one of the major issues in blocking agreement between Britain and the United States some compromise was necessary. It was clear that beleaguered Britain was not in a position to conciliate her commercial rival across the Atlantic. In the midst of this imbroglio James Madison proposed that in exchange for a definite prohibition on impressments the United States should offer to exclude English sailors from American ships. This settlement would remove the basis for the impressment controversy and give the British a legitimate way out of the controversy. No definite decision

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[13]Thomas Jefferson to Albert Gallatin, February 9, 1807, Gallatin Papers.

was made on this matter chiefly because the cabinet wanted to consult a report on the number of seamen in American employment which was being compiled by Albert Gallatin.[14]

As early as November, 1805 the President had asked his Treasurer to draw up an estimate "of the number of seamen we call ours." Gallatin's estimate which he submitted to Jefferson and Madison on April 13, 1807 bore all the familiar traits of careful analysis and reflection. Basing his calculations largely on the hospital tax which was deducted from all seamen's pay the Secretary of the Treasury concluded that 67,000 men were sailing in American ships on the high seas. Gallatin found it difficult to discern how many of the total were British. However, judging largely from the reports of collectors who were specifically asked to ascertain the percentage of British seamen he thought that "very few are found on board the vessels employed in the coasting trade and fisheries, but that they constitute at least one fifth of the whole number of persons employed on board vessels in foreign trade." Although English sailors numbered only 9,000 men, they exerted more influence than either their number or percentage of the total would indicate. Almost every British sailor was an able bodied seamen, and as such they constituted nearly one-fourth of the total number of men engaged

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[14]Brant, Madison: Secretary of State, pp. 377-378; Schachner, Jefferson, II, 837.

in foreign trade.[15]

From his findings the Treasurer reasoned that Madison's proposal to exclude British seamen from the American merchant marine "would materially injure the navigation of the United States." On sober reflection he thought "that the only positive good resulting from it would be that the British would then abstain from impressing in the future." On the other hand, Gallatin as a realist knew that Americans impressed into British service would be returned very slowly, and many would never be released. In addition, the British had not modified their commercial regulations enough to offset the loss which would be suffered from the relinquishment of such a large number of seamen. Consequently Gallatin bluntly told the Secretary of State that his proposal "would more effectively curtail our commerce than any restrictions they can lay upon it."[16]

While his letter of April 13 to Madison discussed only the consequences of the Secretary of State's proposal, the Treasurer's letter to Jefferson was divided into two parts. The first half repeated the conclusions regarding the propriety of sacrificing British seamen which he had made to Madison. However, Gallatin who had been exceedingly blunt with the Secretary of State minced even fewer

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[15]Thomas Jefferson to Albert Gallatin, November 3, 1805, Gallatin Papers; Albert Gallatin to James Madison, April 13, 1807, Madison Papers.

[16]Albert Gallatin to James Madison, April 13, 1807, Madison Papers.

words with Jefferson. He thought it "improper to offer the proposed arrangement." The only exception he made was in the event that failure to negotiate a treaty would result in war. The Treasurer devoted the second half of his letter to that possibility. If the President thought the risk of sacrificing the merchant marine was necessary to preserve peace, Gallatin recommended that Jefferson insist on the abandonment of impressment along with a number of additional items on commerce. He recommended that more favorable East Indian and colonial commerce articles be demanded.[17] Although Gallatin believed it highly unlikely, he even included a third contingency in case Britain agreed to drop the right of impressment. In that instance, no matter what the provisions of the other articles, such a monumental British concession would justify the treaty.[18]

Madison was impressed by Gallatin's observations,

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[17]Albert Gallatin to Thomas Jefferson, April 13, 1807, Jefferson Papers: "Should you, however, upon a view of the whole ground, be of opinion that it is better to abandon the British sailors than to run the risk of the consequences which may follow a rejection of the Treaty, I would suggest the propriety of making not only that provision as ultimatum, but to add to it at least the expunging of the East India article and such modification or explanation of the fifth and of the colonial article as will free them from ambiguity, confirming expressly the reciprocity of freedom of commerce and equalization of duties to articles the produce of British dominion in Europe imported into the United States from Europe in British vessels, and so explaining the colonial article that it may not be susceptible of any construction which would deprive us of any of the branches of trade (such as carrying nankeens and other China articles to the West Indies, and c.) which we have heretofore enjoyed without molestation."

[18]Albert Gallatin to Thomas Jefferson, April 13, 1807, Jefferson Papers.

but the Secretary of State hit upon a compromise solution. According to English law alien seamen who served two years in His Majesty's service were claimed as British seamen. He suggested that Britain should recognize this same principle with respect to the United States. Under this compromise English sailors who had served exclusively on American vessels for more than two years would remain there. Under this plan a large portion of the British seamen would remain in the American merchant marine.[19]

Jefferson was equally impressed by his Treasurer's findings. When he discovered that the proposed exchange would cripple the American carrying trade, the President took his Treasurer's recommendations seriously. "Mr. Gallatin's estimate of the number of foreign seamen in our employ" he wrote to James Madison, "renders it prudent I think to suspend all propositions respecting our non-employment of them." Jefferson finally decided to "let the negotiation take a friendly nap."[20]

While the cabinet debated ways to approach Britain in renewed negotiations events transpired which culminated in the termination of talks altogether. A relatively innocuous occurence of February, 1807 provided the spark. In that month a crew escaped from a British ship to the

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[19]James Madison to Thomas Jefferson, April 17, 1807, Jefferson Papers; Albert Gallatin to Thomas Jefferson, April 16, 1807, Jefferson Papers.

[20]Thomas Jefferson to James Madison, April 14, 1807, Jefferson Papers; Thomas Jefferson to Albert Gallatin, April 21, 1807, Gallatin Papers.

Virginia shore, and four of these deserters enlisted on an American vessel, the Chesapeake. When news reached Halifax, Nova Scotia, the fire brand British commander, Vice-Admiral Berkeley issued an order compelling his subordinates to retrieve the deserters from the American ship.

On June 22 the Chesapeake set sail from Norfolk, but her progress was halted only ten miles off the coast by H.M.S. Leopard who claimed the right to search the American vessel. When the commander of the Chesapeake refused this demand, the British vessel fired three point blank charges into the defenseless American bottom killing three and wounding eighteen. Then the British proceeded to search, and finally they removed four deserters, three American and one English. After this confrontation the Chesapeake sailed back into Norfolk. This outrage immediately evinced a wave of protest and indignation throughout America. For the first time since 1798 Americans were united against a foreign power.

Upon receiving news of the Chesapeake affair Jefferson called his cabinet into session. Since the members of the administration had dispersed for the summer, they were unable to meet until July 2. The cabinet agreed that the President ought to issue a proclamation which he had drawn up. In this document Jefferson ordered all English armed ships out of American waters, barred further entry to British armed vessels, and provided punishment for any American who supplied any ships which refused to honor the proclamation.[21]

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[21]Thomas Jefferson to Albert Gallatin, June 25, 1807; Albert Gallatin to Hannah Nicholson Gallatin, June 28,

Upon arriving back in Washington Gallatin thought war was unavoidable. Yet he deplored the probable results of hostilities. "War will be a most calamitous event; our immense commerce will be destroyed, our progress and improvement retarded, and a thousand families be ruined," he lamented to his wife. Nor did Gallatin ignore the fact that the first year of fighting would exact a great toll from Americans. However, the Treasurer remained optimistic that his nation would triumph. "Our cause is just," he reminded his wife, "and I have no fears of the ultimate results."[22]

Because Gallatin believed war inevitable he was irked with Jefferson who refused to take resolute action. The President had proposed to call Congress into session late in October, but Gallatin favored an immediate call. "It is our duty to ask for reparation, to avert war if it can be done honorably, and in the meanwhile not to lose an instant in preparing for war," he observed. One of the Treasurer's greatest fears lay in his belief that unless decisive action was taken quickly the ardor of the overwhelming majority for reprisals against Britain would cool.[23]

Gallatin was not alone among influential Republi-

1807, Gallatin Papers; Albert Gallatin to Thomas Jefferson, June 29, 1807, Jefferson Papers; Thomas Jefferson to Albert Gallatin, July 1, 1807, Gallatin Papers.

[22]Albert Gallatin to Hannah Nicholson Gallatin, July 4, 1807, Gallatin Papers.

[23]Gallatin to his wife, July 10, 1807, Gallatin Papers.

cans in criticizing Jefferson for his equivocating stand. His brother-in-law Joseph Hopper Nicholson, who was now a Baltimore banker, criticized Jefferson's reticence immediately following the Chesapeake Affair. Nicholson, like Gallatin, considered war inevitable, but he differed from the Treasurer in welcoming the opportunity to unsheath the sword against the British dragon. "Nothing is now left to negotiate on," Nicholson pointed out. Comparing national conduct to personal conduct he believed that honor could not be saved by negotiation because it was simply not a commodity one could barter. Nicholson also thought that the country was united and would support a war effort. "But one feeling pervades the nation," he wrote, "All distinctions of Federalism and Democracy are banished. The people are ready to submit to any Deprivation."[24]

Gallatin, who rarely confided in others with the exception of his wife and then infrequently, revealed to Nicholson that since war most probably would follow "my faculties have been exclusively applied to the preparations necessary to meet the times." Nor did Gallatin appear reluctant to consider war although he did acknowledge that many evil consequences would stem from its prosecution. As bad as the disruption of commerce, an increase in taxation, and a heavy national debt were to Gallatin "all those evils are not only not to be put in competition with the independence and honor of the nation; they are, moreover,

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[24]Joseph Hopper Nicholson to Albert Gallatin, July 14, 1807, Gallatin Papers.

temporary, and very few years of peace will obliterate their effects." He also thought war might have the positive effect of elevating "nobler feelings and habits" so that America could be rescued from the fate of "degenerating, like the Hollander, into a nation of mere calculators." While Gallatin generally approached the expected war boldly, he harbored certain qualms. He believed that war would also contribute to effects that would not be mitigated so easily. Unquestionably executive power and influence would be increased; speculation would be enhanced; and permanent military and naval establishments would follow.[25]

Gallatin spent the lion's share of his time in July preparing data on how the United States could wage war. Financially the nation was in an excellent position, for a surplus of $7,500,000 had been accumulated. At the same time systematic repayment had lowered the debt to under $57,000,000. War would cause expenses to soar and revenue to decline, but the Treasurer was optimistic that the war could be financed largely by loans. He had already laid the groundwork for this by inquiring among merchants and bankers as to their financial support in case of armed conflict with Britain. Their responses had been so favorable that Gallatin estimated he could meet the expenses of war for three years without "any great amount of new taxes."[26]

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[25]Albert Gallatin to Joseph Hopper Nicholson, July 17, 1807, Gallatin Papers.

[26]Gallatin to Nicholson, July 17, 1807, Gallatin Papers; American State Papers; Finance, II, 246-249.

On July 25 Gallatin presented a long memorandum on preparatory measures to Jefferson for his consideration in case of war. He divided his report into suggestions for defensive and offensive operations. Defensively he recommended that arms and ammunitions be manufactured and that the militia be adequately armed throughout the United States. He also urged strengthening batteries and fortifications on the coast. In addition he enumerated the strengths and weaknesses of nearly every coastal town and fort. He strongly pleaded for immediate attention to the crucial cities such as New York, Washington, Norfolk, Savannah, and New Orleans which he believed ill prepared to withstand a serious assault. He concluded his defensive observations by advising the completion of all gunboats under construction and preparation for renewed naval building. He also supported the recruitment and preparation of an adequate number of militiamen.[27]

Offensively the Secretary of the Treasury surveyed all points in the Western Hemisphere where Britain was vulnerable. He favored vigorous strikes at Upper Canada, Lower Canada, New Brunswick, Nova Scotia, Bermuda, New Providence, and Newfoundland. In addition he counseled immediate military preparations to enable the United States to invade Canada as soon as war was declared. He also advocated increasing the term of enlistment for volunteers or militiamen from six to twelve months. While not will-

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[27]Albert Gallatin to Thomas Jefferson, July 25, 1807, Jefferson Papers.

ing to risk supporting the immediate dispatching of American troops to the Canadian border to wait in a state of readiness, he recommended consideration of this action. He also suggested further fact finding regarding British strength in Canada. He concluded that a total of 30,000 troops would be needed for combined offensive and defensive operations. He estimated that the war would cost $18,000,000 a year to prosecute, $11,000,000 could be raised from taxes, and the remaining $7,000,000 would stem from loans.[28]

Gallatin's concern over America's unpreparedness did not extend to other members of the administration. His recommendations fell on barren soil as it became clear that Jefferson did not intend to mobilize popular sentiment behind war measures. As early as mid-August, less than two months since the Chesapeake Affair, Gallatin's fears, that the popular indignation against Britain would cool unless prompt and resolute action followed, were confirmed. The Secretary of the Treasury found conditions in New York appalling. "The people of this city," he informed Secretary of State Madison, "do not appear to me to be in favor of war, and they fear it so much, that they have persuaded themselves that there is no danger of that event."[29]

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[28]Gallatin to Jefferson, July 25, 1807, Jefferson Papers.

[29]Albert Gallatin to James Madison, August 15, 1807, Madison Papers. That Gallatin's views on loss of public support for war were correct can be ascertained from the correspondence in the Gallatin Papers for August and September. See especially Joseph Hopper Nicholson to Albert Gallatin, September 10, 1807: "The public mind has been suffered to brood so long over our disgrace in the affair of the Chesapeake, that I fear its ardor is cooling down."

By October when Congress was to meet in special session Albert Gallatin's ardor for the use of force against Britain had also cooled. Therefore the tone and "general spirit" of the draft of the message which the President intended to present Congress greatly disturbed him. "Instead of being written in the style of the proclamation, which has been almost universally approved at home and abroad," observed the Treasurer, "the message appears to me to be rather in shape of a manifesto issued against Great Britain on the eve of a war, than such as the existing undecided state of affairs seems to require." He feared that it could be construed either to mean that Britain would be unwilling to make any satisfactory arrangement, something to be avoided in an official communication, or to demonstrate that America had already decided to fight. Gallatin pleaded with the President to moderate the tone of his message so that, if even the smallest chance of an arrangement existed, American action would not endanger the chances of a peaceful solution.[30]

Gallatin recommended that the President soften the message and leave out inflamatory condemnations of past British conduct. The Treasurer urged Jefferson to keep policy determination in his hands rather than inciting Congressional passions and waiting for the result. If the object was to prepare the nation, this could be pursued by a strong and direct recommendation based on the uncertainty

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[30]Albert Gallatin to Thomas Jefferson, October 21, 1807, Jefferson Papers.

of the issue rather than the probability that force would be required. Then he urged Jefferson to force Britain into making the choice between war and peace:

> That Great Britain will prefer actual war to any system of retaliation short of war which we might select, I do believe. Yet how far it may be proper to leave the choice to her deserves, at least, consideration. Public opinion abroad is to us highly valuable; at home it is indispensable. We will be universally justified in the eyes of the world; and unanimously supported by the nation, if the ground of war be England's refusal to disavow or to make satisfaction for the outrage on the Chesapeake. But I am confident that we will meet with a most formidable opposition should England do that and we should still declare war because she refused to make the proposed arrangement respecting seamen. It is in that case that measures short of war may become proper, leaving to England, if she chooses, the odium of commencing an actual war.[31]

The Treasurer's proposals were similar to Federalist policies during both the crisis with Britain in 1794 and the Quasi War with France in 1797. Preparations for war were encouraged with the intention of prosecuting hostilities with vigor if they could not be avoided. Concurrently every diplomatic possibility was explored to preserve peace consistent with American national honor.

Gallatin made a number of specific suggestions as to how the address could be modified, and Jefferson did remove some of the most inflamatory passages. Yet the message remained essentially unfriendly to Britain, for it summarized the unsatisfactory state of Anglo-American relations prior

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[31]Gallatin to Jefferson, October 21, 1807, Jefferson Papers.

to the Chesapeake Affair, narrated the facts of the attack and its aftermath, and recited the defense preparations which had been undertaken. These measures included the fortification of such key cities as New York, Charleston, and New Orleans, mobilization of gunboats, and a conditional call for the militia. Reaction to this message varied depending on one's perspective. The British minister believed it exceedingly hostile. On the other hand, Albert Gallatin congratulated himself that he had succeeded in modifying the terms of the address, an event he believed fortunate considering the pacific tendencies of the Congress.[32]

Britain never intended to make war over the Chesapeake Affair. Nor did, British Foreign Secretary George Canning plan to discuss the Chesapeake and impressment issues as a unit. He sent a special envoy, George Rose, to Washington to discuss the June accident while refusing to reopen negotiations with Monroe. However, the Orders-In-Council of November 11, 1807 constituted Canning's cruelest blow. These orders declared illegal all trade with France, her allies, and any nation not permitting the importation of British goods. Under the terms of these orders all commerce with the European continent was required to stop at a British port first and procure a license. Many Americans viewed this as a further illustration of British

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[32]Gallatin to Jefferson, October 21, 1807, Jefferson Papers; Richardson, Messages of the Presidents, I, 425-430; Albert Gallatin to Hannah Nicholson Gallatin, October 30, 1807, Adams, Life of Gallatin, p. 364.

hostility, for this order would strike a far more crippling blow at the United States than French action. When unofficial news of the November orders reached America, Thomas Jefferson decided to press for an embargo on American commerce.[33]

Although the cabinet debated a number of policy alternatives, Jefferson's strong leadership inclined them toward applying non-importation against England. However, Gallatin did not share these views. He favored repealing the suspended Non-Importation Act of 1806 and substituting a general non-importation act on British goods to take effect the following February. Jefferson admitted his Treasurer's suggestion contained merit, but Madison opposed it. On December 5 Gallatin sharpened his attack on the proposed act. He argued that it was so shot full of inconsistencies and ambiguities that meaningful revision would be difficult and satisfactory enforcement would prove nearly impossible. Unfortunately, Jefferson ignored Gallatin's protests, and on December 14 the Non-Importation Act of April, 1806 took effect.[34]

Only three days later the cabinet met again in an emergency session. Official news had reached America of the British Order-In-Council. Nor was news from France

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[33]Adams, Life of Gallatin, pp. 364-365; Schachner, Jefferson, II, 859-860; Varg, Founding Fathers, pp. 193-194.

[34]Albert Gallatin to Thomas Jefferson, December 2, 1807, Jefferson Papers; Thomas Jefferson to Albert Gallatin, December 3, 1807, Gallatin Papers; Albert Gallatin to Thomas Jefferson, December 5, 1807, Jefferson Papers.

encouraging, for it was clear that Napoleon intended to enforce the Berlin Decree stringently. The President proposed to ask Congress to enact an embargo on all shipping in and out of American ports. Madison heartily approved the proposal, but Gallatin was conspicious by his silence. The cabinet approved the measure without dissent, and resolved to convene the following morning.[35]

That evening Gallatin put his thoughts on paper. He urged that foreign shipping be exempted. He was willing to acquiesce in a temporary embargo as a measure preferable to the non-importation act. However, "In every point of view, privations, sufferings, revenue, effect on the enemy, politics at home, etc.," he remonstrated, "I prefer war to a permanent embargo." He strongly suggested that the embargo be enacted "for such a limited time as will afford us all time for reconsideration." Gallatin thought Jefferson's view that economic coercion could be used to force Britain to modify her policy "entirely groundless."[36]

The cabinet met again on the morning of December 18. On further consideration of the embargo foreign vessels were permitted to leave American harbors in ballast. On other changes Gallatin was overruled, for the measure as presented to Congress carried no reference to a time limit. The measure was submitted to Congress the same day, and

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[35]Walters, Gallatin, p. 198.

[36]Albert Gallatin to Thomas Jefferson, December 18, 1807, Jefferson Papers.

action on this bill in the legislative branch was breath-taking, for it passed within four days. Consequently, on December 22, 1807 the President signed the embargo into law, and it took effect immediately. Thus commenced what both President Jefferson and Secretary of State Madison believed to be a noble experiment in peaceful coercion.

CHAPTER VII

THE PITFALLS OF PEACEFUL COERCION

Precisely one day after the embargo became law Albert Gallatin recorded his dissatisfaction with the legislation. After sending a circular to the custom collectors in each American port immediately following the signing of the bill he seriously reflected upon the nature of the law. He found three major defects. Adequate provision for enforcement was noticeably missing. Nor did the act cover the operations of coasting vessels. Although forbidden to clear for foreign ports by the general revenue statutes nothing could prevent these vessels from taking their cargo overseas and disposing of both ship and contents. Finally, while foreign ships could not export goods from the United States, they could trade their wares for specie.[1]

Gallatin's terse criticism of the original embargo statute sounded a call for corrective legislation. Perhaps the most pertinent commentary on the original act

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[1]Albert Gallatin to Thomas Jefferson, December 23, 1807; Gallatin to Jefferson, December 31, 1807, Jefferson Papers.

lies in its rapid amendment, for the second embargo act passed on January 9, 1808 was both more specific and stronger than its predecessor. Coasting vessels were required to post bond that they would not go to any foreign port. Also departures without clearance were punished by forfeiture of goods or twice the value of the ship and cargo. In addition those persons involved in the evasion were subject to heavy fines.[2]

As time passed Jefferson recognized a number of defects in the embargo. One lay in the provision which granted merchants the right to petition the President for special permission to sail. Forged papers and fraudulent voyages constituted another menace. The President favored taking the most stringent action against these evasions, for "it would at least show the world that this government does not countenance frauds." Gallatin sympathized with the President's lamentations and did his best to correct the abuses, but clearly further corrections in the law itself was needed.[3]

A third embargo was enacted March 12, 1808. This law was primarily concerned with methods to correct hardship cases for small vessels which carried materials employed daily in domestic life. Congressional pressure

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[2]Leonard D. White, The Jeffersonians: A Study in Administrative History 1801-1829 (New York: The Macmillan Company, 1951), pp. 427-428.

[3]Thomas Jefferson to Albert Gallatin, January 14, 1808; Jefferson to Gallatin, February 28, 1808, Gallatin Papers; Albert Gallatin to Thomas Jefferson, February 29, 1808, Writings of Gallatin, I, 373-374.

resulted in provisions relaxing the harshness of the legislation. For example, the President was authorized to clear vessels in ballast so that they could bring home goods of American citizens. This measure was included to provide an obvious loophole. "I understand," Jefferson wrote, "there is scarcely a merchant in the United States who has not property somewhere beyond the sea." Yet the act also stiffened penalties and made it illegal to export any goods by any means.[4]

By the end of March the President concluded that even stiffer means must be employed to prevent evasion of the embargo. Jefferson even suggested that customs collectors be given the authority to make preclusive seizures which would allow them to impound provisions anywhere in the United States which were under suspicion of being exported. Gallatin would not support this proposal because it was both "oppressive" and "very embarrassing to us." Nor did he believe it held any chance of passage. In his answers to his Chief's proposals Gallatin cautioned against supporting measures that were "not strictly constitutional."[5]

On April 25 Congress passed an enforcement act which was drastic. Clearance was given only to vessels

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[4]White, Jeffersonians, pp. 428-429; Thomas Jefferson to Albert Gallatin, March 11, 1808; Jefferson to Gallatin, March 13, 1808, Gallatin Papers.

[5]Thomas Jefferson to Albert Gallatin, March 30, 1808, Gallatin Papers; Albert Gallatin to Thomas Jefferson, April 1, 1808, Writings of Gallatin, I, 381-383.

carefully inspected by revenue officers. Ships could not sail for ports adjacent to foreign territory without special permission. Ships could be searched on mere suspicion. Coasting vessels could be detained by collectors on suspicion of intention. Surely the most obnoxious provision allowed customs collectors to seize any extraordinary accumulation of goods in a port adjacent to a foreign territory.[6]

While Jefferson took his "experiment in peaceful coercion" seriously, as early as May, 1808 Gallatin expressed fears that the chief effect of the legislation might be to hurt the Republican Party. Nevertheless, Jefferson insisted on retaining the embargo. He justified his decision on numerous occasions to the critical Gallatin by citing his desire to test the weapon of economic coercion. "I place immense value in the experiment being fully made, how far an embargo may be an effective weapon in the future as well as on this occasion," he told Gallatin.[7]

By July Gallatin candidly informed the President that if the embargo remained on the books it must be strongly enforced. He suggested additional means to strengthen the measure. First, no boats should be allowed to move without Presidential permission. Secondly, col-

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[6]White, Jeffersonians, P. 431.

[7]Albert Gallatin to James Madison, May 10, 1808, Madison Papers; Thomas Jefferson to Albert Gallatin, May 15, 1808; Jefferson to Gallatin, May 20, 1808, Gallatin Papers.

lectors must have the power to seize property anywhere and effectively detain property even if it means removing the rudders from ships. "I am sensible that such arbitrary powers are equally dangerous and odious," he confided. "But a restrictive measure of the nature of the embargo applied by a nation under such circumstances as the United States cannot be enforced without the assistance of means as strong as the measure itself." After attempting to put teeth in the embargo for seven months Gallatin had reached the point where he believed it must either be strongly enforced or dropped entirely.[8]

Gallatin was not alone among influential Republicans in his thoughts on the nature of the embargo. Alexander J. Dallas, the Philadelphia lawyer, observed that Jefferson's desire to continue the embargo in spite of that act's declining effectiveness had reduced his popularity to an all-time low. Dallas believed another year in the Presidency "would render Mr. Jefferson a more odious President, even to the Democrats, than John Adams." Dallas also feared that Madison's election could well be endangered if the Republican dissatisfaction spread. Secretary of the Navy Robert Smith prayed "to be relieved from the various embarrassments of this said embargo." Smith feared that the opposition would be boosted immeasurably, and he earnestly desired that some remedy could be found "for

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[8]Albert Gallatin to Thomas Jefferson, July 29, 1808, Writings of Gallatin, I, 396-399.

calling in this mischief-making busy-body."[9]

By August Gallatin was convinced that the embargo was useless unless more force was applied. Even worse was the prospect that this measure would defeat the Republicans in the Presidential election. At that point the Treasurer thought only Virginia, South Carolina, and Georgia could be placed in the Republican columns. The others were all in doubt.[10]

The mounting criticism of the embargo from within his own party led Jefferson to have second thoughts over his policy. "This embargo law, is certainly the most embarrassing one we have ever had to execute," he admitted to Gallatin. "I did not expect a crop of so sudden and rank growth of fraud and open opposition by force could have grown up in the United State," he confessed. In spite of these thoughts he was unwilling to countenance any repeal of the embargo. Instead he reiterated that "Congress must legalize all <u>means</u> which may be necessary to obtain its <u>end</u>.[11] However, he was hopeful that France and England would repeal the hated decrees and Orders-In-Council, steps that would release the beleaguered President from his dilemma.

The passage of time hardened the positions which

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[9]Alexander J. Dallas to Albert Gallatin, July 30, 1808; Robert Smith to Albert Gallatin, August 1, 1808, Gallatin Papers.

[10]Albert Gallatin to Thomas Jefferson, August 6, 1808, Jefferson Papers.

[11]Thomas Jefferson to Albert Gallatin, August 11, 1808, Gallatin Papers. Underlining is Jefferson's.

Gallatin and Jefferson took in August. Gallatin became increasingly convinced that the unpopular embargo would not survive the next session of Congress. Nor was he optimistic regarding his party's chances in the approaching election. He realized that so many Americans lacked "the patriotism and union sufficient to bear with patience where there is not stimulus." One of the chief problems lay in the fact that the people regarded the embargo as the cause of commercial stagnation and agricultural depression rather than a shield protecting the republic. On the other hand, Jefferson was now willing to clutch at any straw which promised deliverance. Consequently he read the most optimistic interpretations into the correspondence from England and believed that an accommodation was near. At the same time Secretary of State James Madison took a more realistic view of the British negotiations and deplored the fact that an accommodation appeared elusive.[12]

Since the embargo was both unpopular and subject to frequent violation Gallatin realized the importance of seeking an alternative both more workable and less obnoxious. Exactly what this new policy would be or even could be was an open question. While devoting a great deal of thought to this problem in October and November Gallatin explored the various alternatives. "If the embargo is taken off," he told his brother-in-law, "I do not perceive

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[12]Albert Gallatin to James Madison, September 9, 1808, Madison Papers; Thomas Jefferson to Albert Gallatin, September 5, 1808; James Madison to Albert Gallatin, August 31, 1808, Gallatin Papers.

yet any medium between absolute subjection or war." The only substitute then under consideration was a non-importation act which did not adequately replace the embargo because it represented something less than a compromise between war and submission. In fact, the Secretary of the Treasury feared that Britain had no intention of striving for an accommodation with America. Why should they?, he reasoned. Time was on their side, and as the months passed their chances to produce "irresistible dissatisfaction to the embargo and a change of measures and of men "were considerably enhanced."[13]

The Congress that convened in November, 1808 was unpredictable because the nation was in a restless mood. As was his custom Jefferson submitted his annual message to his department heads for their comments and suggestions. This particular message seemed to Gallatin more vacillating and uncertain than necessary. While recommending few important substantive changes he offered many stylistic revisions. He found Jefferson too vague in his explanation of America's negotiating terms with Britain. It was of cardinal importance that the message "appraise our citizens and the people of England of the candid, impartial, and clear proposition which was made." Gallatin also urged Jefferson to state America's case more confidently. "The conduct of the belligerent af-

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[13]Albert Gallatin to Joseph Hopper Nicholson, October 18, 1808, Joseph Hopper Nicholson Papers, Library of Congress; cited hereafter as Nicholson Papers; Albert Gallatin to Charles Pinckney, October 24, 1808, Gallatin Papers.

fords certainly the most just grounds of complaint," he reminded Jefferson in urging him to delete phrases bordering upon despondency. Also the Chief Executive should make it abundantly clear that any alterations in policy would be made with courage not out of fear.[14]

Although Gallatin's substantive criticisms of the message were few in number, he singled out one crucial matter for revision and suggested several additions. The President had commented in his draft that the development of manufacturing was one of the benefits which had developed from the embargo. In doing so he had compared the rise of manufacturing with the decline of commerce. Gallatin pointed out that such a statement would indeed "produce a pernicious effect and furnish a powerful weapon to the disaffected." Consequently the Treasurer advised the omission of statements which appeared to elevate developments achieved at the expense of commerce. He also advised that Jefferson candidly admit that more money was needed to implement foreign policy either in the case of continued embargo or war. Moreover, he also emphasized the necessity to enhance the militia.[15]

Jefferson's annual message fell far short of satisfying many Congressmen. Yet the President was extremely reluctant to exercise leadership. Sensing his reticence Gallatin and Madison urged the President to assert his

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[14]Albert Gallatin to Thomas Jefferson, November 2, 1808, Jefferson Papers.

[15]Gallatin to Jefferson, November 2, 1808, Jefferson Papers.

authority and influence over Congress. Both Mr. Madison and myself concur in opinion," Gallatin told Jefferson, "that considering the temper of our Legislature, or rather of its members, it would be eligible to point out to them some precise and distinct course." The Treasurer did not pretend to know the dominant sentiment in Congress or amongst the public at large, nor did he contend that one single course of action was generally accepted. Gallatin himself believed that the choice lay between war and continued but more effective enforcement of the embargo. However, his chief concern centered upon the adoption of a firm policy. "But I think that we must (or rather you must) decide the question absolutely, so that we may point out a decisive course either way to our friends." Gallatin suggested that a cabinet meeting be held shortly to hammer out administration policy.[16]

Jefferson was not swayed by the advice of his two leading cabinet members. By November the President was desirous of retiring and leaving the momentous concerns of government. As a result he came dangerously close to abdicating. Consequently Gallatin and Madison moved into the vacuum and tried valiantly to give direction to the floundering executive branch. One of the greatest tragedies of this period beginning in November, 1808 may be traced to the interregnum caused by Jefferson's distaste for the further exercise of power.

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[16]Gallatin to Jefferson, November 15, 1808, Jefferson Papers.

One of the first and most important efforts by both Madison and Gallatin was the authorship of a lengthy Congressional document known as Campbell's Report. This paper which was presented to the House of Representatives by George W. Campbell of Tennessee, chairman of the House Committee on Foreign Relations, was written by Albert Gallatin. Internal evidence indicates that this paper was composed with the collaboration of Secretary of State Madison, for the long historical survey of American grievances against both Britain and France assumed the same tone as Madison's previous writings on the subject. This document spelled out the position which the new administration intended to embrace.

After summarizing the history of the commercial conflict between the United States and the belligerent powers Campbell's Report concluded that both the French decrees and the British decrees were "equally unprovoked and equally indefensible on the presumed ground of acquiescence." In fact, the orders and decrees fully justified the United States to declare war against both nations. The paper explored the policy alternatives available which were submission, war against both nations, or a continuation of the embargo with more stringent provisions for enforcement. Because submission was both degrading and humiliating it was immediately ruled out. Ruthlessly the report pointed out that as much as Americans might wish for some middle course between the embargo and war no such intermediate solution existed. "There is no other alternative but war

with both nations or a continuance of the present system," the report bluntly stated.[17]

Especially singled out for extended commentary was an idea which had gained wide currency in Congress. The desire to do away with the embargo without submitting to the belligerents or going to war had become so strong that a proposal to repeal the embargo with respect to all nations except Britain and France enjoyed much support. The utility of this proposition was more apparent than real for American exports to Asia, Africa, and European countries not under Napoleon's control amounted to roughly fifteen per cent of the total of American exports. This amount did not justify a change in policy "even if a question affecting the independence of the nation was to be decided by considerations of immediate profit." However, the most important reason for refusing to adopt this course surely stemmed from the fact that in reality this policy would open an indirect trade with Britain through the ports of Spain, Portugal, and Sweden. Such a practice would constitute submission to Britain. "Nor can it be doubted," stated the report, "that a measure which would supply exclusively one of the belligerents would be war with the other." This contemplated action could be justified only if France was the only aggressor, and if such were the case, the United States would be further ahead to lift the embargo against England and openly join the

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[17]"Campbell's Report," November, 1808, Writings of Gallatin, I, 435-443.

mistress of the seas in war against Napoleon. All these considerations established beyond doubt that the United States should refuse to adopt such a futile, weak, and submissive policy.[18]

The body of Campbell's Report concluded with a plea for an immediate honorable stand by Congress. In the future persistance by the belligerents in their obnoxious policies would undoubtedly mean war. While the report shrank from taking the fatal plunge and calling for war, obviously the author believed that war would be preferable "if a selection could be made on any principle of justice or without a sacrifice of national independence." However, the final determination must be made in Congress. Whatever policy was adopted the most fundamental question remained to be answered in the heart of each individual. "The question for every citizen now is, whether he will rally round the government of his choice or enlist under foreign banners; whether he will be for his country or against his country."[19]

Campbell's Report suggested three resolutions to Congress for its consideration. First, it emphasized the necessity for Congress to declare emphatically its determination not to sacrifice the "rights, honor, and independence" of the United States by submitting to either Britain or France. Secondly, the report recommended that Congress prohibit all French and British ships from entering Ameri-

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[18] *Ibid.*, 443-445. [19] *Ibid.*, 445-446.

can ports. Also it advised a ban on all imports of goods and merchandise from either Britain and France or territory they held. Finally the report called for further defense measures to strengthen the nation.[20]

The chief objective of Campbell's Report was to unite a splintering Republican Party behind a uniform foreign policy. Knowledge of this report was quickly disseminated amongst the public. Over 5,000 copies were printed and distributed. Moreover, the whole report was reproduced in important Republican newspapers. Superficially this report appeared to enjoy a large measure of success. The three resolutions were debated in Congress nearly a month and they all were adopted by large majorities.[21] Apparently Congress did have a backbone after all! However, a careful study of the debates reveals both that the Republican's commitment to them was hardly firm and that the Federalists made the most of their opportunities to attack them. In the voting on the second resolution which would ban trade with England and France Republican defections were distressing.[22] Some spectators including the British minister to the United States David M. Erskine were impressed by this Congressional action. Albert Gallatin, a more penetrating observer, realized that

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[20] Ibid., 446.

[21] "Notes on Campbell's Report by Daniel Shelton," Gallatin Papers.

[22] Annals of Congress, Tenth Congress, Second Session, pp. 530, 812, 815-862, 865-895.

a strong foreign policy, like liberty, depended upon eternal vigilance.

If Gallatin's suggestions in Campbell's Report did not establish his war-like propensities, surely his annual Treasury Report for 1808, submitted December 10, confirmed his bellicose stance. In this report he considered the financial measures necessary to carry out the alternatives of submission, continued embargo, and war. He devoted the lion's share of his considerations to war expenses. Loans would constitute the principle means of financing war. Internal taxes would not be levied. However, import duties would be doubled and the system of drawbacks would be modified. Clearly Gallatin favored war as the best solution to America's problems and he thought that war should come within the next year.[23]

Concurrently with his preparations for war Gallatin was also conducting diplomacy with British minister David Erskine. His Majesty's representative sincerely desired the restoration of good relations between the two nations, and he was willing to go to great lengths to cultivate American good will. Erskine believed that it would be feasible to approach members of the new administration even prior to their elevation to power. Erskine's hopes were buoyed because each member he spoke with encouraged him. Even in the deepest doldrums of the embargo days better times seemed ahead.[24]

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[23] American State Papers: Finance, II, 307-316.

[24] Adams, Life of Gallatin, p. 381; Walters, Gallatin, pp. 206-207.

Late in November, 1808 one evening Erskine dropped in on Gallatin at his home. The two men struck it off well, and they conferred on the whole range of problems separating their two nations. Reparations for the attack upon the Chesapeake, the Orders-In-Council, impressment, the colonial trade, and commercial relations were all discussed. Agreement was reached on the ground for a settlement if the British government was serious. In return for apology and damages for the Chesapeake a proposed Non-Intercourse law would exclude both British and French ships from American ports. This would place France and Britain on the same footing. In the event of a repeal in the Orders-In-Council, non-intercourse would apply only to France. Britain would renounce the right of impressment if America agreed to exclude from her merchant marine seamen not citizens of the United States for two years. On colonial trade the United States would waive the right to direct commerce between the colony and the belligerent if Britain recognized the American right to trade between the colonies and other countries via the "broken voyage." Finally, with respect to commercial relations the United States would repeal the partial non-importation act if Britain repealed the extra duties she levied against the United States. In all cases the two nations were to grant reciprocally most favored nation status to each other.[25]

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[25]Albert Gallatin to the National Intelligencer, April 21, 1810, Writings of Gallatin, I, 475-479; David Erskine to George Canning, December 4, 1808 quoted in Adams, History, IV, 387-389.

While Gallatin was conducting private diplomacy with Erskine he also met with key Congressional leaders during the period from November through January. In these meetings he gave no hint that he supported conciliation with Britain. Gallatin's influence in Congress appeared strong especially to Republicans who did not share his bellicose outlook. In early December Nathaniel Macon reported that "the war men in the House of Representatives" were enhancing their strength. "I should not be much surprised if we should be at war with both Great Britain and France before the 4th of March," he told Joseph H. Nicholson. Macon declared himself "as much against war as Gallatin is in favor of it."[26]

At the same time the Treasurer sought conciliation with Britain he worked to strengthen the enforcement of the embargo law. He suggested a number of stringent changes he considered necessary, and in January, 1809 a new enforcement act was passed in Congress. Perhaps the most remarkable aspect of this law was the fact that it was passed by a Republican Congress at the request of a Republican Secretary of the Treasury. The powers granted to the government by this law were sweeping. Collectors were given authority to refuse permits for coasting trade on suspicion of intent to violate the embargo. The only grounds upon which coasting vessels could justify failure to deliver goods was hostile capture, accident or distress

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[26]Nathaniel Macon to Joseph Hopper Nicholson, December 4, 1808, Nicholson Papers.

without negligence. Collectors could seize any items they suspected would be exported to foreign nations. Surely the most extraordinary powers conferred were those granted to employ military force. Under this act those in authority could use its army, navy, or militia "as may be judged necessary" to enforce the embargo.[27]

Even while this stringent measure was being proposed and in spite of the temporary success Gallatin's policy of firmness apparently enjoyed, thanks to the passage of the resolutions recommended in Campbell's Report, the Secretary of the Treasury harbored few illusions. Gallatin carried much of the weight of the government on his shoulders. "A great confusion and perplexity reigns in Congress," Gallatin reported. Nor were the actions of his close associates completely satisfactory. "Mr. Madison is, as I always knew him, slow in taking his ground but firm when the storm arises." The embargo had become so unpopular that the majority would not condone it much longer. Unfortunately Congress did not seem in a mood to adopt any alternative that would uphold American rights and honor. "If war be not speedily determined on, submission will soon ensue," Gallatin confided to his brother-in-law.[28]

In light of the recommendations in Campbell's Report and the Treasury Report added to the observations

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[27]White, Jeffersonians, pp. 462-464.

[28]Albert Gallatin to Joseph Hopper Nicholson, December 29, 1808, Gallatin Papers.

in Gallatin's private correspondence to his most intimate confidents it seems valid to conclude that in November and December, 1808 the Secretary of the Treasury believed the only suitable alternative to the embargo was war. However, a letter Orchard Cook, a Congressman, who had conferred with Gallatin in December, wrote to John Quincy Adams on December 29, 1808 seems to challenge this assumption. According to Cook, Gallatin on December 28 had discussed foreign affairs with him for nearly an hour and unveiled a plan which he thought would finally be adopted. According to this plan Gallatin recommended a non-intercourse act be passed immediately but not to take effect until June 1, 1809. This act should be worked so that its provisions would not apply to a Power that dropped its commercial retaliation against the United States. Passage of this act would be coupled with a partial repeal of the embargo and measures to protect American commerce such as armed convoys and letters of marque.

> These being made known to Great Britain and France, it is expected that the obstinate Emperor will not alter his course, but it is expected that Great Britain, when she finds the stand we deliberately take, that we have no rebellion; that Madison and a majority of Democrats are chosen; and that we shall be fighting a common enemy (France) with her - and when she finds that we intend living without dishonorable purchases of her goods, etc. will study her interest and relax.[29]

The importance of this conversation with Orchard

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[29]Orchard Cook to John Quincy Adams, December 29, 1808 quoted in Adams, History, IV, 369.

Cook cannot be minimized. Cook was a friend of John Quincy Adams who had advised his new England Republican colleagues to impress the administration that a continuation of the embargo would drive the New England Federalists into armed rebellion and perhaps secession from the union. It was Adams' suggestion that some measure be substituted for the embargo that Orchard Cook had conveyed to Gallatin.[30]

Compared with Gallatin's ideas expressed since November and December this plan seems to be a radical shift in his point of view. No doubt this assessment would be correct except for two very important considerations. First, Gallatin was deeply disturbed at the intensity of the opposition to the embargo. He greatly feared that New England Federalists might embark on a course of precipitous action unless prompt measures were taken. Already rumors of increased activity on the part of the Essex Junta made this threat seem plausible.[31] Secondly, his conversation with British minister Erskine had convinced him that the possibility of an accommodation with Britain was good under certain conditions. The whole matter depended to a large extent on the willingness of the government in London to compromise. Also the United States had to convince Britain that she would treat

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[30]Samuel Flagg Bemis, John Quincy Adams and the Foundations of American Foreign Policy (New York: Alfred A. Knofp, 1956), pp. 149-150.

[31]Albert Gallatin to Joseph Hopper Nicholson, December 29, 1808, Gallatin Papers.

both belligerents equally. Certainly Britain could not complain of the terms of the proposed Non-Intercourse Act which would put both Britain and France on an equal footing. Moreover, this act would give Britain the opportunity to bind the United States in a system against France by relaxing her orders. Consequently both considerations convinced Gallatin that new paths of conciliation, consistent with national honor, must be explored.

Although Gallatin certainly believed that only further coercive measures would render the embargo operative, the enforcement act of January 9, 1809 undoubtedly shortened the life of the embargo. The new legislation stirred the cauldron of opposition to the embargo in New England. This measure strengthened Senator Timothy Pickering's hand as nothing else could have done. The principles of the Essex Junto dominated New England Federalist politics. Town meetings denounced the embargo, and both the Massachusetts and Connecticut legislatures passed resolutions condemning the obnoxious measure and recommending action similar to that suggested by the Virginia and Kentucky Resolutions of 1798. The specter of revolution in New England caused panic among the Republicans. Influential Congressmen such as Samuel Smith of Maryland and Ezekiel Bacon of Massachusetts warned President-elect Madison that the embargo must be repealed or it would prove the engine of the Republicans' destruction. Even loyal Republicans who had agreed with Gallatin's estimation that the embargo should be retained until June 1 and then re-

placed by war yielded. The Republican Congressional rebellion was beginning.[32]

Even before the Republican revolt against the embargo broke out into the open the signs that the Congress was on its own became apparent. In January, 1809 sixteen Republican Senators combined with the Federalists to pass a naval bill which ordered every armed vessel of the United States including gunboats to be employed immediately in active service. In the House George W. Campbell tried to stop the rebellion by amending the bill to strike out the clause obligating the government to outfit all vessels. When Campbell's amendment was defeated by five votes Gallatin threw himself into the battle against the anti-administration forces. Finally Gallatin's influence prevailed and the House eliminated the worst features of the bill. After a lengthy struggle the Senate amended the bill. At first Gallatin considered this the work of the Smith faction, but as time passed and many House Republicans cooperated the Secretary of the Treasury changed his estimate. He labeled the whole effort the product of "The Navy Coalition of 1809 by whom were sacrificed forty Republican members, nine Republican States, The Republican Cause itself and the People of the United States to a System of Favoritism, Extravagance, Parade, and Folly."[33]

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[32]Brant, Madison: Secretary of State, pp. 476-477; Adams, History, IV, 401-420.

[33]Albert Gallatin, "Remarks on the Naval Bill," January 10, 1809, Gallatin Papers; Adams, History, IV, 425-428.

On January 30, 1809 Congressman Wilson Cary Nicholas moved for a repeal of the embargo and letters of marque. June 1 was stipulated as the date the new policy should take effect. Several days later more than half the Republican Congressional delegation deserted and joined the Federalists to defeat June 1 repeal. March 4 was substituted as the repeal date, and this bill was passed. President-elect Madison suggested that repeal be coupled with a non-intercourse law aimed at England and France. The bill which finally emerged contained a mixture of many different plans. It repealed the Embargo, prohibited trade with Britain and France, excluded British and French armed ships from entering American waters, and authorized the President to reopen trade with a nation that ceased to violate American maritime rights.[34] As one of the final acts of his administration Jefferson signed the non-intercourse law on March 1, 1809.

Clearly passage of the Non-Intercourse Act established the triumph of the coalition of Congressional rebels. It was hardly an auspicious prelude for the President-elect James Madison. Passage of the Non-Intercourse Act showed that Americans would not tolerate disruption of their economy as a price to exact concessions from foreign nations. It also illustrated that the mood of the nation was dangerously close to submission. Certainly America was not pre-

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[34]Bradford Perkins, Prologue to War: England and the United States 1805-1812 (Berkeley and Los Angeles: University of California Press, 1961), pp. 227-233.

pared to use force to defend her rights or as a weapon in promoting her self interests. This action also constituted a severe rejection of the Gallatin-Madison leadership in the interval between the election and Madison's inauguration. On January 31 Gallatin wrote to his sister-in-law Maria Nicholson that "times are gloomy; and the conduct of neither the people or their representatives is calculated to give me very good spirits."[35] Nothing that transpired in the final days of Jefferson's second administration caused him to change this pessimistic evaluation.

In the closing months of Jefferson's administration, certainly since November, 1808, Albert Gallatin had played a much larger role in formulating American policy. This development was not fortuitous or unplanned, for James Madison and Gallatin had agreed that since the President was unwilling to exercise the necessary leadership they must fill the power vacuum. Yet this decision does not explain why Gallatin in fact did play a dominant role in the period of transition.

One reason stems from his curious position in the government. Although Gallatin may have denied it, he came as close to approaching the position of a British cabinet member as any member of the Executive branch. A Secretary of the Treasury enjoyed wide powers in the early national period, and certainly the Treasury Department far outranked the other departments in functions and re-

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[35]Albert Gallatin to Maria Nicholson, January 31, 1809, Gallatin Papers.

sponsibilities as the excellent administrative histories of Leonard D. White have shown. A Treasurer who was intent on exercising wide influence on the course of government began from an excellent power base, and both Alexander Hamilton and Albert Gallatin used their immense power for objects they believed justified.

A second reason Gallatin's role increased in this vital period emanated from his ties with Congress. Since the early days of Jefferson's Presidency he had acted as a key administration liason man with Congress. Amazingly Gallatin retained the friendship of a large number of important Republican leaders despite several bitter disputes between Congress and President. Thus Gallatin was the one administration figure who could exert decisive influence in Congress.

A third reason for the Treasurer's more active role lies in James Madison's desire to appoint him Secretary of State in his administration. In a very real sense Gallatin acted as Secretary of State during these crucial months because it was this position that he would fill after March 4 and no question existed that diplomacy was the most pressing issue of the day. Nor was there any question that Gallatin was in a position to accomplish far more than any single individual. Unfortunately he did not record all his activities to strengthen his nation's foreign policy in this period, but judging from the correspondence of key Congressmen and his family there can be no doubt that he devoted himself wholeheartedly

to this cause. Unfortunately his efforts were defeated in the Congressional rebellion of January and February of 1809. These rebuffs were harbingers of even more drastic Congressional obstructionism to follow.

CHAPTER VIII

JAMES MADISON AT THE HELM

That Albert Gallatin's enhanced role in foreign policy formulation would culminate in his appointment as Secretary of State was taken for granted by many observers. However, this logical development did not bring unanimous acclaim from Congress. The divisions within the Republican ranks constituted one of the most serious weaknesses in that party's ability to lead the nation boldly. Moreover, the passage of time had accentuated these cleavages. In the course of Jefferson's two administrations Albert Gallatin's policies as Secretary of the Treasury had caused some Congressional opposition to him. Some dissatisfaction with his policies had appeared very early when he had refused to encourage the wide distribution of patronage. Consequently, for petty political reasons unrewarded politicians and their friends turned on Gallatin. The most serious opposition to the Treasurer on this score came from William Duane, editor of the Philadelphia Aurora, and Michael Leib, a Philadelphia politician. Gallatin's tight fisted appropriation recommendations brought him perpetually into conflict with Secretary of the Navy Robert Smith. Also his championing of the Bank of the United States as a necessary fiscal institution brought him into disrepute

with doctrinaire anti-bank Republicans and proponents of the fast rising state banks. In pursuing his fiscal policies Gallatin made an enemy of Senator Samuel Smith of Maryland, the brother of the Secretary of the Navy. A less tangible but important reason for Republican distrust of Gallatin lay in his obviously superior ability. Often lesser men distrust those who are talented, and this irrational impulse accounted for the extreme passion of much of the opposition to Gallatin.

Prior to Madison's inauguration he received word that Gallatin's appointment as Secretary of State would not be acceptable to a Senatorial faction headed by William Branch Giles, Samuel Smith, and Michael Leib. Further probing of Senatorial opinion showed that exactly half the members were opposed to Gallatin's appointment. Madison was placed in an impossible dilemma. He believed Gallatin the most qualified candidate to head the State Department, but he realized that if he fought for Gallatin's nomination he would split his already factionalized party wide open. The President hit upon the solution of appeasing the Smith faction by offering to appoint Robert Smith Secretary of the Treasury. Gallatin rejected this solution pointing out that he did not have the energy to run two departments simultaneously. If an arrangement had to be made, Gallatin suggested that Robert Smith be appointed Secretary of State and he remain in the Treasury. In adopting this solution Madison placed himself in the position of having to discharge the duties of two officers.[1]

[1]Irving Brant, James Madison: The President 1809-1812 (Indianapolis and New York: The Bobbs-Merrill Co., 1956), pp. 22-25; Adams, History, V, 4-8.

Gallatin, the Madison administration, and American foreign policy were all losers in this transaction. Gallatin had become tired of treasury business, and with his flair for diplomacy he was a natural choice for Secretary of State. His influence with Congress had declined sharply since late January, and the victory of the Senatorial cabal in blocking his appointment further reduced his influence. Hence, his fiscal policies as Treasurer would receive something less than a friendly reception. The appointment of Smith also led to bad blood in the official family. Gallatin who rarely harbored ill feelings against anyone, even those with whom he disagreed, regarded Smith's appointment as the result of an intrigue. Consequently, he held Smith in contempt and the previous cordiality between the two disappeared. The loss of Gallatin's ability in the State Department also handicapped the execution of American foreign policy at a crucial hour.[2]

The most pressing diplomatic problem remained Anglo-American relations. The attempts by Congress to strengthen the American posture toward the belligerents in late 1808 and early 1809 had impressed David Erskine who had conveyed his ideas to George Canning. Without knowing the details of the Congressional rebellion and submission of February and March Canning, who wanted to achieve an understanding with the United States providing that it did not infringe on vital British interests, authorized Erskine to proceed with serious negotiations. However, he specified three

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[2]Adams, History, V, 10.

conditions which had to be met before any agreement could be consumated. In case of repeal of the Orders-In-Council the United States must agree not to trade with France. Secondly, America must adhere to the Rule of 1756. Finally, Americans must not object to the British navy seizing ships headed for French ports illegally. Of these three points only the first was made a sine qua non of an agreement.[3]

David Erskine was certain that an accord could not be reached on the basis of Canning's instructions so he disregarded them. In doing so he was able to come to a rapid understanding with Madison and Robert Smith. On April 18 and 19 the details of the agreement were worked out. Britain agreed to suspend the Orders-In-Council of January and November, 1807 to take effect on June 10 in return for a proclamation restoring commercial intercourse between the two nations.[4]

The President's Proclamation of April 19 which announced the terms of the Erskine Agreement restored Madison's administration to popularity. American merchants made no attempt to wait for June 10 as they rushed to sail for England. Madison considered this the beginning of a new era in Anglo-American relations. In his address slated for delivery to the special session of Congress the Chief Executive missed few chances to congratulate himself on America's recent success. In reading a draft

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[3]Varg, Founding Fathers, pp. 217-219; Adams, History, V, 71-73.

[4]Albert Gallatin to Thomas Worthington, April 18, 1809, Gallatin Papers.

of this message Albert Gallatin urged him to show more restraint. The Treasurer failed to see how conciliation on the part of the United States had been the major factor in promoting the agreement with England. Gallatin bluntly pointed out that the Erskine Agreement rested simply on the fact "that the offers of the British Government accorded with the provisions made by the act of Congress." That executive discretion, an important element in foreign policy formulation, had played such a small part in the agreement was something Madison ignored.[5]

Gallatin was also critical in assessing Erskine's conduct. He detected flaws in the British minister's statements which indicated to him that perhaps the British position was weaker than America generally supposed. For example, Gallatin questioned Erskine's authority to announce that the Orders-In-Council would cease to operate prior to the actual repeal of Non-Intercourse by the United States. Gallatin speculated on the meaning of Erskine's statements. "Does he only mean that vessels taken under those orders, subsequent to the day agreed on, will be released, if we take off the non-intercourse on that day?," asked the Secretary of the Treasury. Other questions also occurred to him. "Is it possible that the orders are to be rescinded next week in England, and that he is trying to make the best bargain he can before we know the fact?," Gallatin wondered.[6] This attitude can be contrasted with

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[5]Albert Gallatin to James Madison, May 18, 1809, Madison Papers.

[6]Gallatin to Madison, May, 1809, Madison Papers.

Madison's outlook. The Treasurer still approached the British in the spirit of critical inquiry while the President preferred to accept matters on faith.

As soon as George Canning received news of the agreement he disavowed it. Later to defend his action he released the instructions to Erskine to prove that the British minister had violated his orders. News of Canning's action reached the United States in July when James Madison was in Virginia. Gallatin who had remained in Washington promptly wrote to the President that he should return immediately. He also requested Attorney General Caesar A. Rodney's presence. Since news of Canning's instructions to Erskine had not reached America, Gallatin could not understand British action. Nevertheless, three questions needed immediate attention. First, since England had not repealed her orders, the Treasurer thought the provisions prohibiting intercourse with Britain revived themselves automatically. Secondly, a decision was necessary on the propriety of calling Congress into special session. If possible, Gallatin wanted to avoid this alternative. Thirdly, the government had to adopt a policy toward the new British minister, Francis James Jackson, who Canning had appointed to replace the discredited Erskine.[7]

Two days later on July 26 an extract of Canning's instructions to Erskine arrived in the United States. Gallatin ascertained from Secretary of State Smith that

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[7]Albert Gallatin to Caesar A. Rodney, July 24, 1809, Albert Gallatin Folder, Library of Congress; Albert Gallatin to James Madison, July 24, 1809, Madison Papers; Albert Gallatin to John Montgomery, July 27, 1809, Gallatin Papers.

some, but by no means all, of Canning's instructions were used as a basis of the negotiations. This knowledge coupled with Canning's second condition (colonial trade and rule of 1756) convinced Gallatin that Britain had been insincere. Insistence on the renunciation of the colonial trade indicated that Britain's primary purpose was the destruction of American commerce.[8]

Gallatin lamented the state of affairs introduced by Canning's action. One of the worst consequences lay in the fact that the United States was by no means prepared to resist Britain at this point. A year before America would have been prepared for war. "Then all or almost all our mercantile wealth was safe at home, our resources entire, and our finances sufficient to carry us through during the first year of the contest." Now the situation was quite different. American property was scattered all over the high seas, and England which had been relieved by even the temporary American relaxations would be in a position to withstand American economic pressure for at least two years. If war came, it would have to be financed primarily by loans.[9]

Nor did the Secretary of the Treasury expect results from future negotiations with Britain. Gallatin doubted that Jackson would have any compromises to offer. "He is probably sent, like Mr. Rose, to amuse and to

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[8]Albert Gallatin to James Madison, July 26, 1809, Madison Papers.

[9]Albert Gallatin to John Montgomery, July 27, 1809, Gallatin Papers.

divide." In expressing such sentiment Gallatin merely underscored the fact that he had no confidence in Canning. He hoped that no concessions would be made and that unless Britain was serious negotiations would be broken off.[10]

When Madison received news of Canning's disavowal his estimate closely agreed with Gallatin's. The President saw the hand of the West Indian merchants behind much of what was done. Madison even went further in attributing base motives to Britain. "Such an outrage on all decency was never before heard of," he assured Gallatin. The President seriously entertained rumors that the evilness of George III had asserted itself again and in fact had been responsible for the disavowal of the arrangement. However, Madison did not believe his return to Washington was necessary. He was willing to rely on the consultation of the cabinet members there. Gallatin could be trusted to transmit their decisions to him. The Chief Executive had decided that the best course of action lay in dispatching a circular to the collectors which would put non-intercourse back in effect.[11]

When Madison read Canning's instructions to Erskine, he was even more convinced that Britain was insincere. "If the sketch of Erskine's instructions be faithful," he told Gallatin, "it shows as clearly that Canning was determined to prevent an adjustment as that Erskine was

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[10]Gallatin to Montgomery, July 27, 1809, Gallatin Papers.

[11]James Madison to Albert Gallatin, July 28, 1809, Gallatin Papers.

to effect it." Nor did the President think that statements of members of the administration could have been misconstrued by Erskine. Further proof of British perfidity could be found in Jackson's appointment as minister to the United States. If the mission had been intended as conciliatory in tone, certainly someone other than Jackson would have been chosen.[12]

In the meantime Gallatin had talked with Erskine. "He acknowledged that the reason why he did not communicate his instructions as he was authorized to the Secretary of State," Gallatin reported, "was that he was sensible that if we had seen them, we would have considered him unauthorized and have refused to enter into the agreement." Erskine assured Gallatin that in his representations on the colonial trade he had spoken only of the direct trade between the West Indies and Europe.[13]

Madison reluctantly journeyed to Washington to preside over the formulation of a new policy toward Britain. On August 9 he signed a proclamation which revived non-intercourse against England. The same day the Secretary of the Treasury instructed the customs collectors not to enforce the law against ships sailing on the grounds that Erskine's agreement was in effect.[14]

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[12]Madison to Gallatin, July 30, 1809, Gallatin Papers.

[13]Albert Gallatin to James Madison, July 31, 1809, Madison Papers.

[14]"Circulars to the Collectors," August 9, 1809, American State Papers: Foreign Relations, III, 304.

Although a policy had been adopted, the former British minister's actions required clarification. David Erskine was officially requested by Secretary of State Smith to explain his December report of conversations with members of the government. Before replying Erskine had already received Gallatin's account of the conversations. Whether he believed that the Treasurer's recapitulation was accurate or perhaps just by coincidence, Erskine's answer to Smith accepted the major points of Gallatin's version. The Treasurer contended that in their conversations he had established that the United States would waive direct trade between West Indian colonies and the mother country in Europe. However, this trade had never been seriously carried on. Erskine substantiated this both to Smith and to Gallatin. He believed that Gallatin referred only to the direct trade which would be dealt with by a treaty. Erskine had never reported this point as a condition for British revocation of the Orders-In-Council. What Gallatin said in August, 1809 varied from what Erskine had written to his government in December, 1808. Then he had hinted that Gallatin said that the United States would "abandon the attempt to carry on a trade with the colonies of belligerents." Perhaps the most charitable explanation is that Erskine distorted what was said because of his fervent desire to achieve better Anglo-American relations.[15]

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[15]Robert Smith to David Erskine, August 9, 1809, American State Papers: Foreign Relations, III, 304-305; Albert Gallatin to David Erskine, August 13, 1809, Gal-

On September 8 Francis James Jackson, the new British minister arrived in Washington. On numerous occasions previously Gallatin had concluded that little could be expected from discussions with this minister. On September 11 Gallatin informed Madison that from what he gathered of talks between Smith and Jackson the British minister "had nothing to say of importance." Nevertheless, President Madison still wanted to give England the benefit of the doubt. Somehow he hoped that Canning had not sent Jackson to chastize the Americans. How else could one account for "Jackson's apparent patience and reserve without supposing that his authorized disclosures would not be either operative or agreeable?" However, Smith and Jackson did not get along. On October 9 written communications were substituted for oral discussions, and in November negotiations completely collapsed.[16]

America's prospects were not bright in the fall of 1809 when Congress convened. In his annual report the Secretary of the Treasury announced the first financial deficit since he assumed his post. He also pointed out that neither non-intercourse nor any other partial commercial restriction would work. Renewal of the embargo or a complete abandonment of all restrictions constituted

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latin to David Erskine, August 13, 1809, Gallatin Papers; David M. Erskine to Robert Smith, August 14, 1809, American State Papers: Foreign Relations, III, 305-306; David Erskine to Albert Gallatin, August 15, 1809, Gallatin Papers.

[16]Albert Gallatin to James Madison, September 11, 1809, Madison Papers; James Madison to Albert Gallatin, September 25, 1809, Gallatin Papers; Adams, History, V, 115-132.

the only feasible alternatives. Since the mood of the nation ruled out a return to the embargo, Gallatin drafted a bill which encompassed the second solution. This act, introduced by Congressman Nathaniel Macon, dropped all restrictions on the American carrying trade and permitted the importation of French and British goods in American vessels. It closed American ports to both the armed vessels and merchant ships of Britain and France. If either nation dropped its commercial restrictions, the United States would remove the prohibition against the nation.[17]

The Macon Act passed the House, but Samuel Smith and his friends blocked its passage in the Senate. The stalemate which followed was finally broken on March 1 when Congress passed a law known as Macon's Bill Number Two. This statute, which was really the work of Senator John Taylor of South Carolina, merely forbade British and French bottoms from entering American waters. Otherwise it repealed the Non-Intercourse Act and removed all restrictions upon American trade. One provision in particular stood out. If either England or France modified their edicts against American commerce prior to March 3, 1811 and the other nation did not, after three months the United States would apply the provisions of the Non-Intercourse Act to the offending party.[18]

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[17] American State Papers: Finance, II, 373-384; Annals of Congress, Eleventh Congress, First Session, pp. 754-755.

[18] Walters, Gallatin, pp. 232-233.

France quickly took advantage of this loophole. In August, 1810 Napoleon Bonaparte hinted that he planned to repeal the Berlin and Milan decrees on November 1 contingent upon British repeal of the Orders-In-Council or American enforcement of the discriminatory provisions of the Macon Act against England. Word of Napoleon's apparent change of heart reached the United States late in September. In fact, Napoleon did not repeal his decrees, but James Madison accepted his conciliatory gesture without waiting for proof of the Frenchman's good faith. Therefore on November 2, 1810 the President announced the "revocation of the edicts of France which violated the neutrality of the United States." Madison suspended the provisions of Macon's Act against France, and gave Britain until February 2, 1811 to follow the French example or suffer the economic consequences.[19]

Curiously Albert Gallatin was as gullible as James Madison in the fall of 1810. The Treasurer did not suspect French duplicity; indeed he was shocked in 1821 when he discovered documents which confirmed French insincerity. However, he expected Napoleon's dramatic shift to bring Anglo-American relations to a head. If Britain did not alter her policy, war between the two English speaking nations would probably result.[20]

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[19]Perkins, Prologue to War, pp. 245-250; "Circular from the Treasury Department," November 2, 1810, American State Papers: Foreign Relations, III, 392.

[20]Albert Gallatin to John Quincy Adams, September 15, 1821, The Writings of Albert Gallatin ed. Henry Adams (Philadelphia: J.P. Lipincott, 1879), II, 196-199; Albert Gallatin to Caesar A. Rodney, September 27, 1810, Albert Gallatin Folder, Library of Congress.

European concerns yielded slightly to problems in the Western Hemisphere during 1810. Traditionally American interest to the South had been limited to the Spanish borderlands, mainly Florida. In 1808 momentous European events caused repercussions in the Americas. In that year Napoleon finally succeeded in placing his brother Joseph on the Spanish throne. This event led to a Spanish rebellion and the formation of an opposition junta at Cadiz. Civil War in Spain increased the likelihood of revolution in Spain's colonies in America.

In response to European events the United States renewed and intensified her interest in Latin America. Moreover, American objectives in the hemisphere shifted from a narrow concentration on Florida to "the large policy of 1808." This new orientation created a new set of vital interests:

> These policies were encouragement to Latin America in establishing and maintaining its independence, opposition to the transfer of an American colony from one European power to another, resistance to the extension of the commercial as well as the political influence of any European power in America, and, as the ultimate objective the exclusion of all European influence from the western hemisphere.[21]

Albert Gallatin played an important role in the revitalized Latin American policy of the United States. The shift to "the large policy of 1808" failed to convince the foreign diplomats who resided in Washington of any

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[21]Arthur Preston Whitaker, The United States and the Independence of Latin America 1800-1830 (New York: W.W. Norton and Company, 1964), p. 45.

real change in fundamental American objectives. The French minister, Louis Marie Turreau, believed that the professed change was window dressing designed to camoflage renewed assaults on Florida. This belief was enhanced early in 1809 when General James Wilkinson embarrassed the administration by calling for the immediate occupation of the Floridas. Madison not only disavowed expansionist intentions but also sent his Treasurer to assure Turreau privately. In late April Gallatin conferred with the French minister and repudiated the pre-1808 Jeffersonian policy toward Spain. He renounced all American intentions in contiguous Spanish territory. "You would be mistaken if you supposed that Mr. Madison wished the possession of the Floridas," Gallatin told him. Although possession of Florida had been Jefferson's "hobby," Madison valued it only if necessary "to secure an outlet for the produce of our Southern States" or to "prevent every kind of misunderstanding with Spain." Gallatin denied any American involvement in the agitation by American frontiersmen or in precipitating Wilkinson's actions. Before he concluded the Treasurer also renounced any interest in the Caribbean. "I am authorized to protest to you," stated Gallatin, "that even if Cuba were offered us as a gift, we would not accept it."[22]

Although the "large policy" had been Jefferson's crea-

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[22]Gallatin's conversation with Turreau is recorded in Turreau to Champagny, June 1, 1809, quoted in Adams, History, V, 38-39.

tion, the men responsible for making foreign policy in Madison's administration, the President himself, Secretary of State Robert Smith, and Albert Gallatin were all committed to its objectives. Prior to the outbreak of the War of 1812 much energy was devoted to furthering America's ties with Latin America. The year 1810 merely intensified attempts to implete this policy, for in that year the Spanish colonies erupted in revolution.

As Arthur Preston Whitaker demonstrates, the United States operated at "cross currents" in Latin America 1810-1812 and never did fulfill the promise of the "large policy." American diplomacy followed several threads in these years. Traditional accounts have emphasized the West Florida question, but James Madison was far more interested in capturing South American markets for the United States in the early months of 1810. Britain posed the gravest threat to American ambitions in Latin America. England already had established considerable commerce there, and with her large merchant marine she threatened to exclude the United States entirely.[23]

To meet the British threat the President sent Americans to the revolutionary area in 1810. Three types of agents were employed. Special agents were appointed to undertake a specific mission in a limited time. Agents for commerce and seamen were commissioned under a Congressional Act of 1796 for the protection

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[23]Whitaker, Independence of Latin America, pp. 61-62.

of American sailors in foreign ports. These ministers' first duty lay in fostering closer commercial ties, but they were also instructed to profess American friendship and good will. Regular consular agents were also appointed.[24]

Albert Gallatin actively encouraged the dispatching of American agents to Latin America. It was he who highly recommended David Gelston, the customs collector at New York, for one of the most important assignments. When Gelston declined Gallatin recommended Joel Roberts Poinsett of South Carolina to replace him as agent to Buenos Aires. The Treasurer also urged that Poinsett be given an extremely broad field of operation: "considering the immediate land communication between Buenos Ayres (sic) and Peru, and the difficulty of obtaining agents perfectly qualified and willing to go; might not Mr. Poinsett's commission be extended to the last: or some contingent instructions be given applicable to it, if in the course of his mission he should think it necessary for the public service to go there or to do something in relation to it." The President accepted Gallatin's suggestions and agreed to commission Poinsett to Buenos Aires, Chile, and Peru.[25]

The British threat to Latin America concerned the

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[24] Ibid., pp. 63-66.

[25] Albert Gallatin to James Madison, July 16, 1810; Gallatin to Madison, August 15, 1810; Gallatin to Madison, August 16, 1810, Madison Papers; James Madison to Albert Gallatin, August 22, 1810, Writings of Gallatin, I, 483.

Treasurer greatly. When the Spanish revolted in 1808, Britain invaded the Iberian Peninsula. Gallatin was certain that England would continue fighting in Spain so that she might control Latin America through a nominal Spanish regency. Thus she would oppose revolution in the colonies. By far the greatest English threat lay in Cuba. "I think also," wrote Gallatin, "That she will attempt to take possession of Cuba where the Spanish regency may, if necessary be removed. The English interest and prejudices against us arising from that source will therefore be the principal obstacles to our views in that quarter." Since Cuba was of such pressing importance Gallatin suggested that a special minister be sent there.[26]

While the Spanish American colonists were revolting throughout Latin America in 1810, American frontiersmen in West Florida were becoming more restless. In the summer meetings were held to protest Spanish policies and suggest more liberal methods of administration. By September the American settlers had established the independent republic of West Florida, and had requested the United States to annex the new republic.[27]

President Madison had been watching carefully events in West Florida. He had asked Gallatin's advice on the legality of annexing this territory. The Treasurer thought no question existed on that point, for the Mobile

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[26]Albert Gallatin to James Madison, September 17, 1810, Madison Papers.

[27]Varg, Founding Fathers, pp. 253-258.

Act covered the area between the Mississippi and Perdido Rivers. If other legal precedents were needed, they existed in the laws which authorized the President to take possession of Louisiana. However, he was not convinced that because legal precedents existed, West Florida should be annexed. "But what growth ought generally to be taken consistent with justice, the rights and interests of the United States, and the preservation of peace, is the difficult question" he argued. Gallatin's protests fell on deaf ears, and on October 27 President Madison annexed West Florida as far west as the Pearl River by Presidential proclamation.[28]

In 1810 Gallatin's main influence on foreign policy was exercised in Latin America through the encouragement of American diplomatic activity there. He failed to restrain Madison from annexing West Florida, an action which jeopardized American interests as defined in the "large policy." Florida in the possession of Spain constituted no threat to the United States, but an American Florida might endanger British interests. As a Spanish ally England had extensive commercial interests in the Caribbean.[29]

By the fall of 1810 Madison had changed his objectives in Latin America. Now he wanted to use France as a counterbalance against Britain in the western hemisphere. Thus the United States encouraged French commerce with the

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[28]James Madison to Albert Gallatin, August 22, 1810, Writings of Gallatin, I, 485; Albert Gallatin to James Madison, September 5, 1810, Madison Papers.

[29]Varg, Founding Fathers, p. 262.

former Spanish colonies. By August, 1811 France was ready to promote revolution in Latin America if the newly liberated states would agree not to forge ties with Britain. To Americans the French policy seemed merely an extension of the continental system to include Latin America. Madison could not support such a system especially when he believed the real rationale lay in preserving the western hemisphere for Joseph Bonaparte.[30]

In many respects the year 1810 marks a turning point in James Madison's first administration. Not only was this the year in which French duplicity and the western hemisphere question compounded foreign policy questions for America, but this was also the year in which many War Hawks were elected to the Twelfth Congress. As far as Albert Gallatin's contributions to influencing American foreign policy this year constitutes a watershed. Prior to 1810 Gallatin played a major role in formulating foreign policy, but in 1811 and 1812 the Treasurer had much less influence in making foreign policy.

After being denied the post of Secretary of State Gallatin thought of retiring. The extreme villification which he had suffered made him very reluctant to continue in public service. "I want peace, retirement, and to have nothing to mind but the education of my children and the social intercourse of a few friends," he told his Ohio friend Thomas Worthington in April, 1809. Later that month in a visit with his close friend, Joseph Hopper

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[30] Ibid., pp. 265-267.

Nicholson, in Baltimore he conveyed similar thoughts. "Your resigning from office is a subject upon which I do not like to reflect because I believe you will be a great public loss," Nicholson told him. Madison would feel his absence immediately although the nation might not appreciate his contributions for some time. Yet he appreciated Gallatin's situation and urged him to confront the President with the choice of retaining either Smith or himself. "I have never believed that you took as strong ground in the cabinet as you ought to do," Nicholson admonished, "and it is time that you should do more than content yourself with a bare expression of opinion."[31] This advice was sound, and nearly two years later the Treasurer followed it.

The attacks on Gallatin did not cease, and he went to Monticello to confer with Jefferson regarding his future. The former President persuaded him to remain in the government as long as conditions did not become too unbearable. In replying to the Virginian Gallatin told him that he was still bothered by the attacks. "It has seemed to me from various circumstances that those who thought they had injured were disposed to destroy, and that they were sufficiently skillful and formidable to effect their object," he wrote.[32]

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[31]Albert Gallatin to Thomas Worthington, April 18, 1809, Gallatin Papers; Albert Gallatin to Joseph Hopper Nicholson, April 20, 1809, Joseph H. Nicholson Papers, Library of Congress; Joseph Hopper Nicholson to Albert Gallatin, May 14, 1809, Gallatin Papers.

[32]Albert Gallatin to Thomas Jefferson, November 8, 1809, Jefferson Papers.

As time passed Gallatin's position within the government became worse. In 1810 the Treasurer recommended that the charter of the Bank of the United States be renewed, and a recharter bill was making satisfactory progress through the House when the session ended. However, the state banking interests rallied their forces, and in 1811 a combination of doctrinaire states rights advocates, state banking men, and anti-Gallatin Republicans combined to defeat the Bank bill by one vote in the House and the tie-breaking vote of Vice-President George Clinton in the Senate. Gallatin was horrified and attributed the defeat to the Smith faction. Thus the bitter feud between Gallatin and the Smiths erupted again.[33]

Now the Treasurer decided to follow Nicholson's advice and require Madison to choose between Robert Smith and himself. Hence on March 4, 1811 Gallatin tendered his resignation to the President. "I clearly perceive that my continuing as a member of the present administration," wrote the Secretary of the Treasury, "is no longer of any public utility, invigorates the opposition against yourself and must necessarily be attended with an increased loss of reputation to myself." One of the foremost reasons he gave for leaving was the conflict within the administration. Obviously Madison had to decide whether he would retain a first rate Treasurer or a third rate Secretary of State. The President chose wisely as the

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[33]Bray Hammond, Banks and Politics in America from the Revolution to the Civil War (Princeton, New Jersey: Princeton University Press, 1957), pp. 209-225.

back of Gallatin's letter of resignation records: "Mr. Madison declined receiving Mr. Gallatin's resignation and Mr. Robert Smith Secretary of State was removed from office."[34]

James Monroe became Secretary of State on April 1, 1811. Two months prior to his assumption of office the United States under Macon's Act Number Two had applied non-intercourse against Britain. Retaliation against Britain was taken in spite of the fact that France had not provided satisfactory evidence of rescinding her decrees, and despite the election of a Congress ill-disposed to the continuation of an appeasement policy. The membership of the Twelfth Congress had a decided new look. Almost half of the Representatives in the new body were War Hawks, young men (mostly under forty) elected generally from the South and the West. Although Republicans, they placed no faith in peaceful coercion. Henry Clay of Kentucky, one of the undisputed leaders of this group, who was elected Speaker of the House summed up their attitudes: he was tired of seeing his country tied "eternally to the tail of the British kite."[35]

Considering the composition of the Twelfth Congress Gallatin was shocked when he saw Madison's draft of the annual message. It was not only bitterly critical of Britain, but the Treasurer considered it a war message.

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[34]Albert Gallatin to James Madison (March 4, 1811 - ?), Gallatin Papers.

[35]Walters, Gallatin, p. 244.

Gallatin believed that a recommendation of war would be unwise at this point. He doubted that the people would really support the use of force with their manpower and money. In addition, war measures would make the administration unpopular. The possibility that the United States might suffer humiliation and be subservenient to Britain for years to come was another undesirable possibility that Britain might relax her orders when faced with American determination. However, this contingency was extremely doubtful.[36]

Madison accepted Gallatin's advice to remove militant anti-British phrases, but his message still adhered to a hostile posture toward Britain. The President enumerated British transgressions including vigorous enforcement of the Orders-In-Council and insistance that British goods when owned by neutrals be admitted to enemy ports. Nor did Madison ignore France. Napoleon was criticized for not relaxing commercial restrictions and not restoring American property seized under past edicts. Madison recommended many defense measures including the construction of harbor fortifications, the employment of gunboats, enhancement of coastal protection, the dispatchment of troops to the frontier, and the recruitment of an army.[37] While the speech was not warlike, it surely called for preparation for war.

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[36]Albert Gallatin, "Notes on Madison's Message," November 5, 1811, Madison Papers.

[37]Brant, Madison the President 1809-1812, pp. 356-359.

Unfortunately, Gallatin remained silent on many important matters during the crucial year of 1811-1812. However, that he had resigned himself to war after the President's annual address seems clear. The financial calculations in his annual Treasury report issued late in November were based on the probability of war within a year. In January, 1812 he told Ezekiel Bacon, Chairman of the House Ways and Means Committee, how much war would cost and what measures were needed. An annual loan of $10,000, increased customs duties, and internal taxes would all be necessary. "What appears to be of vital importance is, that the crisis should at once be met by the adoption of efficient measures which will certainly provide means commensurate with the expense, and . . . will enable the United States to persevere in the contest until an honorable peace shall have been obtained," he wrote. In March he told Jefferson that he expected the overwhelming majority of the American people "to support their own government in an unavoidable war."[38]

When Britain published a report in May, 1812 enumerating French violations of neutrality, prospects for any British relaxation of her orders seemed remote. In late May James Madison told his cabinet that he planned to ask Congress for a declaration of war against Britain, and on June 1 the President's war message was read to

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[38] American State Papers: Finance, II, 495-507; Albert Gallatin to Ezekiel Bacon, January 10, 1812, Writings of Gallatin, I, 501-517; Albert Gallatin to Thomas Jefferson, March 10, 1812, Jefferson Papers.

Congress. It gave many reasons for commencing hostilities: impressment, violation of American neutrality on the coast, blockades, Orders-In-Council, and British encouragement of the Indians in the Northwest. Madison's request was approved in the House by a vote of seventy-nine to forty. The Senate gave its begrudging support nineteen to sixteen. Ironically two days before the President signed the declaration, on June 16, Britain repealed the Orders-In-Council. Nevertheless, other reasons for hostilities existed, and war commenced officially on June 18.[39] "On to Canada!"

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[39]Perkins, Prologue to War, pp. 403-417.

CHAPTER IX

ALBERT GALLATIN AND AMERICAN FOREIGN POLICY

After the outbreak of war Albert Gallatin remained in the Treasury Department until 1813. Then he embarked on a long and important diplomatic career. Originally he went to Russia to take advantage of the Tsar's mediation offers. Then he served as one of the five American commissioners at Ghent. After the conclusion of peace Gallatin helped negotiate an Anglo-American commercial treaty. The following year President Madison appointed him minister to France where he remained until 1823. Because of his quickly achieved status as senior American diplomat abroad his talents were not restricted to France. For example, he helped Richard Rush conclude crucial Anglo-American discussions in London. After a three year American interlude he traveled to London in 1826 in an attempt to restore better relations with Britain. Upon returning to the United States in 1827 at age sixty-six Gallatin retired from public life.

This study has focused on the first phase of Gallatin's national life: the years as Congressman and Secretary of the Treasury. His experience prior to 1812 pre-

pared him well for his diplomatic career. As a freshman Congressman he engaged in the heated debates on the Jay Treaty. Later as Republican leader in the House of Representatives he led the opposition to Federalist policies during the Quasi-War against France. As Secretary of the Treasury Gallatin played at least three roles in foreign policy formulation. First, as a cabinet member he advised both Jefferson and Madison on important aspects of foreign policy. He read the annual messages and made numerous suggestions to improve them in every area. In cabinet meetings where prospective actions were thoroughly debated he presented his views. Sometimes he was asked to compose special memoranda on pressing foreign business, and at other times he authored memoranda designed to influence a policy. Secondly, he helped coordinate foreign policy and Treasury policy by reconciling Republican fiscal goals and diplomatic objectives. Sometimes he masked his parsimony behind other considerations, but many of his ideas can be traced to his desire to economize. Thirdly, he acted as an important liason man between administration and Congress. Gallatin had numerous friends in the legislative branch, and he kept in very close contact with them. A final role, one not in keeping with his character, must be mentioned. After the United States purchased Louisiana Gallatin conducted a unilateral policy which reminds one of the first Secretary of the Treasury. He secretly organized a band of militia to seize New Orleans if Spain would not relinquish it.

Gallatin's Congressional career may be divided into two parts: his abbreviated three month term as United States Senator (December, 1793 - February, 1794) and his six years in the House of Representatives (1795-1801). A comparison between Gallatin's thoughts on foreign policy during 1793, a most difficult year, and his views during his House career is enlightening. When one compares Gallatin as Senator, Representative, and Treasurer, an even more suggestive explanation emerges. In 1793 the Senator-elect, while mildly enthusiastic for France and Genet, adopted an unusually moderate approach. His years in the House contrast with his earlier views, for he adopted a more doctrinaire approach. Although he did not go as far as some Republicans in attacking the Jay Treaty, his arguments bore the stamp of party regularity with some exceptions. During the French crisis 1797-1801 Gallatin was largely silent. He knew opposition to Federalist foreign policy would not only be futile, but it would also further weaken his party. When Gallatin did speak, he argued the party line: that relations with France had not assumed crisis proportions. His Congressional career coincided with an extremely unusual period. The conflict between political parties in the United States has never been so intense as it was in the period 1793-1800. Since no agreement existed as to desirable objectives for the nation, accommodation was impossible. Any explanation of Gallatin's behavior at this time must account for the tenacity of the political struggle. Had it not been for party politics the Pennsyl-

vania Congressman probably would never have taken some of his more extreme positions.

Surely any study of Gallatin's role as Secretary of the Treasury convinces one that Thomas Jefferson was not his own Secretary of State and that James Madison as President depended closely on his Treasurer in foreign policy. From 1801 until 1808 Jefferson, Madison, and Gallatin acted as a team in forging many policies. Often they blended their collective wisdom together in such a manner that it is nearly impossible to measure their individual contribution. Jefferson's greatness as President is more apparent than real because of this three-cornered collaboration. However, one must not push this idea too far. On many occasions Gallatin found himself outnumbered, and Jefferson frequently overruled him. In these cases Gallatin's ideas may be contrasted with Jefferson's, Madison's, and the actual policy followed. Since Madison desired to appoint Gallatin Secretary of State, their close collaboration on foreign policy was natural. In contrast to Jefferson, Madison had to act as his own Secretary of State at least until April, 1811 because he allowed the unqualified Robert Smith to head the State Department. During this time he depended on his Treasurer a great deal for help in implementing policy.

Gallatin's views on foreign affairs cannot be easily categorized. Each policy he advocated must be considered in terms of the situation from which it arose. Yet several general characteristics form a consistent pattern

throughout his career from 1793 until 1812. First, in considering any question Gallatin was reluctant to commit himself unless he had thoroughly explored every facet of the situation. His judicious marshalling of relevant data is remarkable in itself. Secondly, he generally approached each question from the broadest possible point of view. Thus he also ascertained the other nation's outlook. He was so adept at viewing American diplomacy from an unbiased perspective that he could, and sometimes did, assume the role of the devil's advocate. Finally, with the exception of his career in the House he cut through the partisan rhetoric of the day and considered problems in terms of the intrinsic merits of the case. In many respects his analysis was so objective because it was purged of the most odious distractions of nationalism.

As Secretary of the Treasury Gallatin attempted to reconcile foreign and domestic affairs. Reduction of the debt, elimination of unnecessary expenses, and repeal of the internal taxes constituted the foremost Jeffersonian domestic objectives. Therefore, he supported foreign policies that would preserve peace. Arguing that it was cheaper to build a completely new navy in case of war than maintaining a small number of ships in peacetime Gallatin urged the dismantling of the small navy. He also opposed Jefferson's costly gunboat scheme. For reasons of economy he supported continued payments to the Barbary Powers rather than attempt to chastize the

Mediterranean brigands. However, he was willing to spend money for legitimate American interests such as the purchase of Louisiana.

The relationship between realism and idealism forms another important theme in Gallatin's outlook on foreign affairs. Some political scientists enjoy portraying American foreign policy in terms of the conflict between realism and idealism. According to their interpretation American policy has suffered and failed because it has been too idealistic. A minority of realists whose advice is constantly rejected are the heroes of this school. In reality no such dichotomy now exists or ever existed in the formulation of American foreign policy. Most men constantly struggle to combine realism and idealism in their everyday lives, and traditionally American foreign policy has attempted to combine these elements.

Albert Gallatin is an excellent example of a Jeffersonian idealist who adopted realistic solutions when necessary. Although he disliked most provisions of the Jay Treaty, he realized that it would keep peace. Constitutionally a strict constructionist as a Congressman, Gallatin altered his views as Secretary of the Treasury to support the purchase of Louisiana without amending the fundamental law. While opposing Hamilton's full use of the powers of the Treasury, Gallatin himself organized a military expedition in the Southwest in the fall of 1803 to seize New Orleans if Spain would not relinquish it. A pacifist at heart, the Treasurer found war justified

after the Chesapeake Affair. In his eyes no other alternative would preserve American national honor in the face of British outrages. A foe of domestic coercion, Gallatin enforced the embargo which he himself disliked by the unparalleled assertion of governmental power. A staunch opponent of submissive measures, he helped draft the first Macon Act to preserve a measure of American dignity. An opponent of war with Britain in 1811, he not only reconciled himself to hostilities, but he also recommended the measures necessary to prosecute the action. Aside from numerous other considerations his flexibility and willingness to adjust to the situation at hand mark Gallatin as one of the truly outstanding diplomatists of the early national period.

BIBLIOGRAPHICAL ESSAY

Primary Material

This study is based largely on the manuscripts of Albert Gallatin, Thomas Jefferson, and James Madison. The Albert Gallatin Papers at the New-York Historical Society form one of the richest and most important manuscript collections relating to any American statesman. In total it comprises over eighty boxes. Much of the material is uncatalogued and still unexplored. Unfortunately these papers were closed for nearly seventy years after the Gallatin family allowed Henry Adams to use them. One of the greatest strengths of this collection lies in the many memoranda which Gallatin wrote on so many different questions. These documents allow one to trace the evolution of his thought on major questions. However, there are at least two drawbacks to his papers. First, while voluminous, his manuscripts contain relatively few of his own letters. Secondly, Gallatin himself was close-mouthed. Early in Jefferson's first administration the Pennsylvanian told Jefferson that "I hope your administration affords but few materials for historians." Obviously Gallatin hoped for tranquility, but in his own letters he was extremely reluctant to comment on public affairs. Nevertheless, the Gallatin collection is

the starting point for any serious student of Jeffersonian America.

The Thomas Jefferson Papers at the Library of Congress constitute one of the most important sources for this study because Gallatin's letters to his Chief Executive may be found here. In its own right these manuscripts are one of the largest and most important collections on any American. Between 1801 and 1808 Jefferson and Gallatin corresponded frequently and often at some length on important state business. Thus much of importance on Gallatin can be found here. This collection also contains many letters from James Madison. A careful reading of the letters from Madison and Gallatin reveals how important the Secretary of State and the Secretary of the Treasury were to Jefferson.

The James Madison Papers in the Library of Congress do not equal either the Gallatin or Jefferson collections in size, but the Fourth President's manuscripts are of major importance. A number of crucial letters which properly belonged in this collection were lost for nearly one hundred years in William C. Rives' personal papers. Rives was Madison's first biographer, and he merely helped himself to many of his subject's papers without ever returning them. Addition of the relevant manuscripts in Rives' papers has enhanced the value of this collection. Since a number of the lost letters were from Albert Gallatin, this collection sheds lights on the Treasurer's contributions to Madison's administration.

Especially important are a number of letters indicating Gallatin's interest in Latin America. Also the Treasurer's comments on Madison's proposed annual message of 1811 are here. Only these criticisms indicate that, as originally planned, this address may have been a war message.

Other manuscript collections of importance may be found in the Library of Congress. There is a small folder of Gallatin papers which contains many letters to Caesar A. Rodney. Only several of these were pertinent to this study. Although not very extensive, the Joseph Hopper Nicholson Papers are an important source for the student of Jeffersonian America. Nicholson, a cousin of Gallatin's wife, was one of the Pennsylvanian's good friends and a close confidant. Aside from letters to his wife Gallatin revealed himself more to Nicholson than any other person.

A number of printed collections were useful. The Works of Alexander Hamilton, ed. Henry Cabot Lodge (12 vols.; New York: G.P. Putnam's Sons, 1904) provides enough material to allow good insights into the first Treasury Secretary's ideas on foreign policy. The Works of John Adams, ed. Charles Francis Adams (10 vols.; Boston: Little Brown and Company, 1850-1856) contains some, but by no means all, of the Second President's most important letters. The Writings of Thomas Jefferson, ed. Paul Leicester Ford (10 vols.; New York: G.P. Putnam's Sons, 1892-1899) is the most accurate comprehensive printed collection of Jefferson's writings. This collection will be superceded by The Papers of Thomas Jefferson, ed. Julian P. Boyd (17

vols.; Princeton: Princeton University Press, 1950-1965) which has only reached 1791. Boyd's work is monumental, and this is surely a model editing job. However, at the present pace this collection will not be finished until well into the twenty-first century. The Writings of Albert Gallatin, ed. Henry Adams (3 vols.; Philadelphia: J.P. Lipincott, 1879) contains a number of errors and does not do justice to the fine Gallatin collection at the New-York Historical Society. Selected Writings of Albert Gallatin, ed. E. James Ferguson (Indianapolis and New York: The Bobbs-Merrill Company, Inc., 1967) is a much needed paperback edition of Gallatin's writings. The selections are representative, and the editing is very good. Ferguson's editorial commentary comprises the most penetrating analysis of Gallatin in print today.

Two major government documents were consulted in preparing this study. Numerous volumes of the Annals of Congress yield much important information on Congressional attitudes. The volumes for the Fourth, Fifth, and Sixth Congress in which Gallatin participated were especially useful for his many important speeches. Unfortunately, many of the debates are not reported accurately or in any detail. American State Papers: Documents, Legislative, and Executive of the Congress of the United States, From the First Session of the First to the Third Session of the Thirteenth Congress, Inclusive: Commencing March 3, 1789, and Ending March 3, 1815, Selected and Edited, Under the Authority of Congress, By Walter Lawrie, Secretary of the

Senate, and Matthew St. Clair Clarke, Clerk of the House of Representatives (Washington: Gales and Seaton, 1832) is a most important source. The volumes on foreign relations allow one to trace the diplomacy of the early national period. Although many of the most important documents are included here, inevitably errors appear. The volumes on finance show how Gallatin attempted to reconcile fiscal objectives with diplomatic policy.

Secondary Materials

For years the only scholarly biography of Albert Gallatin was Henry Adams, The Life of Albert Gallatin (Philadelphia: J.P. Lipincott, 1879). Adams cast Gallatin in his own image and oversimplifies the Pennsylvanian's New Republicanism into refined Federalism. As a biography Adam's book is not adequate, but it does have lasting value because Adams included the text of many important letters written by Gallatin which are not available elsewhere. Like many older biographies this book is a quasi-primary source. In 1957 a much needed modern biography of Gallatin appeared. Unfortunately Raymond Walters Jr., Albert Gallatin: Jeffersonian Financier and Diplomat (New York: The Macmillan Company, 1957) is not a particularly penetrating study. In this writer's opinion E. James Ferguson, the editor of Selected Writings of Albert Gallatin, comes closer to a meaningful portrayal of Gallatin than any other historian. Lack of a solid biography of Gallatin constitutes an important void in Jeffersonian historiography.

Thomas Jefferson is the subject of biographies too numerous to mention. Perhaps the most outstanding one-volume work is Gilbert Chinard, Thomas Jefferson: The Apostle of Americanism (Ann Arbor: University of Michigan Press, 1964). However, this account is thin on Jefferson's Presidency. Nathan Schachner, Thomas Jefferson: A Biography (2 vols.; New York: Appleton-Century Crofts, 1951) in general is a balanced, unbiased account which contains much information on the Presidential years. Dumas Malone, Jefferson and His Time (3 vols.; Boston: Little Brown and Company, 1948-1962) promises to be the definitive work on the Sage of Monticello, but the latest volume concludes in 1800.

James Madison has been the subject of a recent six-volume biography. Irving Brant, James Madison: Father of the Constitution 1787-1800 (Indianapolis and New York: The Bobbs-Merrill Co., 1950); Irving Brant, James Madison: Secretary of State 1800-1809 (Indianapolis and New York: The Bobbs-Merrill Co., 1953) and Irving Brant, James Madison: The President 1809-1812 (Indianapolis and New York: The Bobbs-Merrill Co., 1956) have all proved useful in this study. Brant's detailed work rescues James Madison from his critics, but in doing so the author is overly favorable to his subject. However, Brant's research which is broad and impressive commands respect.

Henry Adams, History of the United States During the Administrations of Thomas Jefferson and James Madison (9 vols.; New York: Charles Scribner's Sons, 1889-1891) is a

brilliant and monumental work. The first six volumes have been useful in considering the years after 1801. Adams did research in British and French sources as well as in the obvious American materials. However, Adam's hostility to both Jefferson and Madison mars his work. Many of his judgments have been revised in light of more critical research. Nevertheless, any serious student of the Jeffersonian period must contend with Adams.

A number of important monographs were useful in studying the period from 1789 to 1801. John C. Miller, The Federalist Era 1789-1801 (New York: Harper and Row, 1960) is a well written survey of the period. He is particularly strong on the years when Hamilton was in the government, but he slights John Adams. Leonard D. White, The Federalists: A Study in Administrative History (New York: The Macmillan Company, 1948) reveals how the machinery of government worked 1789-1801. Noble E. Cunningham Jr., The Jeffersonian Republicans: The Formation of Party Organization, 1789-1801 (Chapel Hill: Published for the Institute of Early American History by the University of North Carolina Press, 1957) discusses the evolution of party machinery on the part of the Republicans. Samuel F. Bemis, Jay's Treaty: A Study in Commerce and Diplomacy (rev. ed.; New Haven: Yale University Press, 1962) presents a definitive account of events leading up to the treaty of 1794 between England and the United States. Both Alexander DeConde, The Quasi-War: The Politics and Diplomacy of the Undeclared War with France

1797-1801 (New York: Charles Scribner's Sons, 1966) and Stephen Kurtz, The Presidency of John Adams: The Collapse of Federalism 1795-1800 (Philadelphia: University of Pennsylvania Press, 1957) should be consulted for developments during Adams' administration. Kurtz is particularly strong on domestic developments, and DeConde discusses diplomacy in great detail.

Many monographs deal with special problems of the Jeffersonian period. Of these Leonard D. White, The Jeffersonians: A Study in Administrative History (New York: The Macmillan Company, 1951) contains much of value. His chapters on the embargo are particularly important. Many books of varying quality deal with the diplomacy of the Jeffersonian period. Two studies on Anglo-American relations stand out. Bradford Perkins, The First Rapprochement: England and the United States 1795-1805 (Philadelphia: University of Pennsylvania Press, 1955) emphasizes that relatively good relations existed between the English speaking nations after the Jay Treaty until the Napoleonic Wars were stalemated in 1805. Bradford Perkins, Prologue to War: England and the United States 1805-1812 (Berkeley and Los Angeles: University of California Press, 1961) is critical of both Jefferson and Madison as well as the Republicans in Congress. Perkins stresses maritime grievances as a major cause of the war. Both books are based on wide research in British and American sources. Arthur Preston Whitaker, The United States and the Independence of Latin America 1800-1830 (New York: W.W. Norton, 1964)

admirably documents the development of American interest in Latin America and the shift in American policy in 1808. Paul A. Varg, Foreign Policies of the Founding Fathers (East Lansing: Michigan State University Press, 1963) is the only study which deals with the diplomacy of the period 1789-1812 as a whole. This book which stresses American nationalism and the interrelationship of foreign and domestic affairs combines superb analysis with stimulating narrative.