

# I

## Victory's Bitter Fruits



THE CROWD OF OFFICERS FELL SILENT as he entered the hall and walked to the lectern. His powerful frame still towered over them, but he had aged visibly. Deep furrows crossed his brow; his head and shoulders slumped just a bit; despair masked his usually stony face. Past fifty, exhausted physically and emotionally after eight years in wartime encampments, George Washington had seldom had a day's respite, let alone a visit to his home and family. Now, with his glorious victory at Yorktown but a distant memory, his officers were threatening to mutiny; his dream of a free and independent people living in Utopian brotherhood was turning into a nightmare. The road to independence had led straight to the edges of hell.

Americans everywhere were turning against one another: separatist factions in five states were in rebellion and threatening to secede; a British blockade was decimating American commerce; two massive fires had left half of New York City in ashes; and, with British troops still in New York, Washington's own officers were threatening to lead the Continental Army to the western frontier and set up their own independent state. Meanwhile, the American government, such as it was, sat helplessly in Philadelphia—bankrupt, with no money to pay its army, no power to tax, virtually no power to do anything.

Eighteen months had elapsed since the bulk of the Continental Army had marched northward in triumph from Yorktown, its pennants flying high, but its troops in tatters—barefoot, hungry, and broke. Many had not been paid for years. "Our Men are almost

naked," Washington pleaded to Congress, state leaders, and anyone else who would listen. Few did. "We are without money," he moaned, "totally unprepared for Winter. . . . There is not a farthing in the military chest."<sup>1</sup>

Only a year before Yorktown, troops in Pennsylvania and New Jersey had mutinied, but after winning promises of redress, they had followed Washington to Virginia to fight in what would prove the decisive, last battle of the American Revolution—though not the end of the war. Washington left Major General Nathanael Greene to command southern operations and led his ragtag northern forces to defend the Hudson River Valley, where, as they had throughout the Revolution, they languished loyally for months without pay or adequate food or clothing, pillaging local farms for scraps to eat, fearing that at any moment they would have to engage the immaculately equipped British enemy. Realizing that requests to Congress for supplies were futile, Washington appealed to the states.

"Officers and Men have been almost perishing for want," he complained to "The Magistrates" of New Jersey. "They have been alternating without Bread or Meat . . . and frequently destitute of both. . . . Their distress has in some instances prompted the Men to commit depredation on the property of the Inhabitants."<sup>2</sup> But the states were as bankrupt as Congress. Although state governments had powers to tax property and levy duties on imports, farmers operated on a barter system that produced virtually no cash to pay taxes, and the British blockade all but ended the flow of duties from foreign trade.

After two years, however, Britain signed the articles of peace, and in the spring of 1783, American soldiers and officers expected to go home with back pay in their pockets. But Congress still had no money, and the army resumed its mutiny—this time with the support of outraged officers, including General Horatio Gates, the hero at the Battle of Saratoga. In Newburgh, New York, an anonymously written leaflet appealed to Washington's officers to take up arms and march against Congress once peace with Britain became a certainty. If, however, Britain resumed the fighting, the letter urged officers to abandon their posts and "set up a new state in the wilderness," thus leaving Congress and the coastal states defenseless.

"My God!" Washington thundered. "What can this writer have in view by recommending such measures? Can he be a friend to the Army? Can he be a friend to the Country? Rather, is he not an insidious foe?"

Appalled by what he saw as a call to treason, Washington had called his officers to assembly in an effort to recapture their loyalties and restore their patriotism and love of country, and now he stood at the lectern before them. He began cautiously, all but mumbling that "an anonymous summons . . . was sent into circulation . . . and is designed to answer the most insidious purposes." He went on to read and condemn the letter, his voice gradually gaining strength as he described and acknowledged the hardships his officers and troops had faced. He then pledged his name and honor "that, in the attainment of compleat justice for all your toils and dangers . . . you may freely command my services." He assured them Congress was working "to discover and establish funds . . . but like all other large Bodies, where there is a variety of different Interests to reconcile, their deliberations are slow.

"While I give you these assurances," he pleaded, "and pledge myself . . . to exert whatever ability I am possessed of in your favor, let me entreat you, Gentlemen . . . not to take any measures, which . . . will lessen the dignity, and sully the glory you have hitherto maintained."<sup>3</sup>

After reminding his officers that he was "among the first who embarked in the cause of our common Country" and that "I have never left your side one moment," he called the idea of "deserting our Country in the extremest hour of her distress or turning our Arms against it . . . something so shocking in it that humanity revolts at the idea. . . . Let me conjure you, in the name of our common Country, as you value your own sacred honor, as you respect the rights of humanity, and as you regard the Military and National character of America, to express your utmost horror and detestation of the Man who wishes, under any specious pretences, to overturn the liberties of our County, who wickedly attempts to open the flood Gates of Civil discord, and deluge our rising Empire in Blood."<sup>4</sup>

Washington paused; his eyes seemed to falter. He laid his papers on the rostrum, fumbled in his pocket, and pulled out a pair of

new glasses that evoked murmurs of surprise from his skeptical young audience.

"Gentlemen," Washington's voice quavered, "you must pardon me. I have grown gray in your service and now find myself growing blind."<sup>5</sup> The evident sadness in his voice, according to those present, recaptured the hearts of his officers. Washington had served without pay throughout the war, had won near-universal reverence by remaining with his troops through the most severe winters, when most officers in every army in the world routinely left their troops in winter quarters and returned to the comfort of their homes. "He spoke," according to one officer at the Newburgh meeting, "[and] every doubt was dispelled—and the tide of patriotism rolled again in its wonted course. Illustrious man!"<sup>6</sup> The mutiny ended with a unanimous resolution of confidence in Congress and a request that Washington represent the interests of all army officers.

In fact, there was little that Washington—or Congress, for that matter—could do to ease the army's plight. A vestige of the Continental Congress that had declared independence in 1776, it had sought reforms, but split into bitter factions that fought incessantly about how much power to assume over the states. The Nationalists—later renamed Federalists—demanded supreme powers for the central government over international and interstate commerce, interstate disputes, national finances, and military affairs—in effect, an American replacement for the ousted British government. Antifederalists insisted that the states remain sovereign and independent, retain all political powers, and only occasionally dole out temporary powers to Congress to deal with a problem or crisis common to all the states, such as national defense.

After eighteen months of debate, Congress sent the Articles of Confederation and Perpetual Union to the states, which took four years to ratify them, completing the job late in 1781. The Articles of Confederation created a new central government of sorts, with executive and legislative authority combined in a unicameral, or one-chamber legislature, in which each state would have one vote. To pass any important law dealing with war, treaties, or borrowing money, nine of the thirteen state delegations in Congress had to

approve—and even with their approval, the Confederation had no powers to enforce any of the legislation Congress passed.

Still worse, the Articles denied Congress the single most important legislative and executive power for governing any nation: the power to raise money. Congress could not levy taxes or collect duties on imports and exports. In the end, the only “power” the Articles gave the national government was the right to borrow money—a difficult process for a bankrupt government with no means of repaying its debts. In effect, the Confederation left the thirteen states sovereign, independent, and free, and the Confederation Congress as impotent in peace as the Continental Congress had been in war—a mere forum for state representatives to meet, argue, and do nothing.

When formal confirmation of American independence arrived, Washington fulfilled his promise to his officers by issuing a blistering condemnation of the way Congress and the states had managed the nation and the war. Immediately dubbed “Washington’s Legacy,” his four-thousand-word “Circular to the States” announced his imminent retirement as commander in chief, demanded full payment of all debts to soldiers and officers, the award of pensions equal to five years’ pay for all soldiers, and annual life pensions for those “who have shed their blood or lost their limbs in the service of their country. . . . Nothing but a punctual payment of their annual allowance can rescue them from the most complicated misery . . . without a shelter, without a friend, and without the means of obtaining any of the necessities or comforts of Life; compelled to beg their daily bread from door to door!”

Warning that “the eyes of the whole World” focused on the United States, he called on Congress to repay its foreign creditors and declared,

this is the moment to establish or ruin [our] national Character forever, this is the favorable moment to give such a tone to our Federal Government, as will enable it to answer the ends of its institution, or this may be the ill-fated moment for relaxing the powers of the Union, annihilating the cement of the Confederation, and exposing us to become the sport of European politics, which may play one State against another to prevent their growing

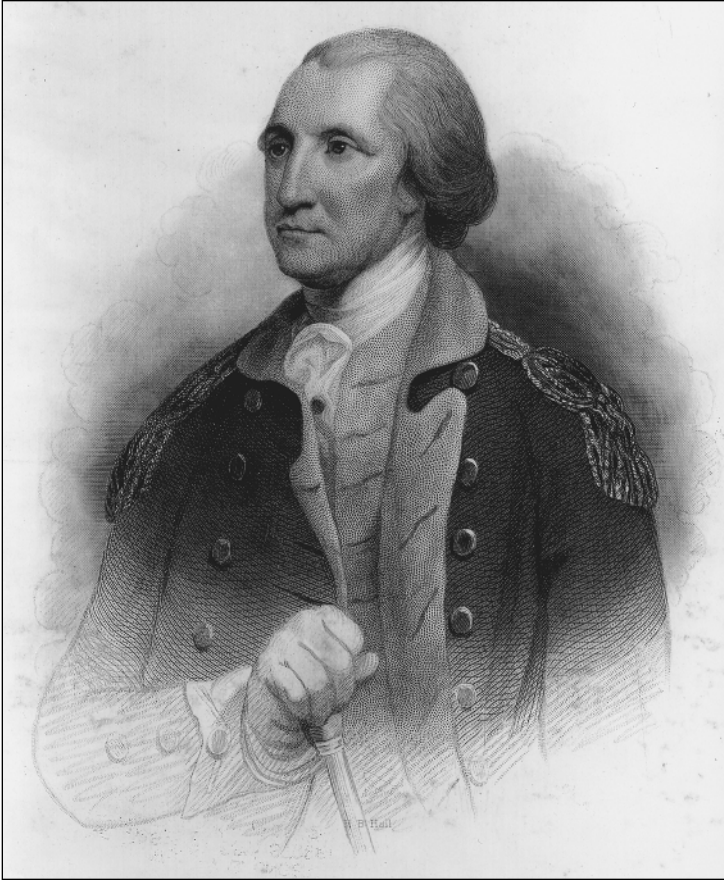
importance, and to serve their own interested purposes. With this conviction of the importance of the present Crisis, silence in me would be a crime.

Washington went on to cite what he considered essential to the survival of the United States as an "Independent Power," including "An indissoluble Union of the States under one Federal Head." In calling for reform of the Articles of Confederation, he demanded nothing less than a revolution in which the states would "delegate a larger proportion of Power to Congress." Failure to do so, he predicted, would "very rapidly tend to Anarchy and confusion. . . .

It is indispensable . . . that there should be lodged somewhere a Supreme Power to regulate and govern the general concerns of the Confederated Republic, without which the Union cannot be of long duration. . . . There must be a faithful and pointed compliance on the part of every state with the demands of Congress, or the most fatal consequences will ensue, That whatever measures have a tendency to dissolve the Union, or contribute to violate or lessen the Sovereign Authority, ought to be considered as hostile to the Liberty and Independency of America, and the Authors of them treated accordingly.<sup>7</sup>

Washington's prediction of "anarchy and confusion" came to pass sooner than even he could have anticipated. About ten days after issuing his "Circular to the States," nearly one hundred soldiers marched from Lancaster, Pennsylvania, to Philadelphia on June 17, 1783, to extract justice from Congress and the state government. Streams of men from other regiments swelled their numbers to more than five hundred when they reached the Philadelphia State House (now Independence Hall), where both the Confederation Congress and Pennsylvania's Supreme Executive Council were in session. As rifle barrels shattered and poked through the windows, legislators fled the hall and reassembled in New Jersey, across the river. Congress reconvened in Princeton on June 24, and met there on and off until the end of October, when it moved to more spacious quarters in Annapolis, Maryland, and ultimately New York City. Over and over again, Washington reiterated his demands to reform the Articles of Confederation,

for certain I am, that unless adequate Powers are given to Congress for the general purposes of the Federal Union that we shall soon



George Washington. As presiding officer of the Constitutional Convention, Washington did not participate in debates, but he had spent almost four years writing leaders in every state of the need “to revise, and amend the Articles of Confederation.” In the end, it was his constitution that they ratified.

moulder into dust and become contemptible in the Eyes of Europe, if we are not made the sport of their Politicks; to suppose that the general concern of this Country can be directed by thirteen heads, or one head without competent powers, is a solecism, the bad effects of which every Man who has had the practical knowledge to judge from, that I have, is fully convinced of; tho’ none perhaps has felt them in so forcible, and distressing a degree.<sup>8</sup>

In the fall of 1783, Britain closed the British West Indies to American vessels and blocked entry of American lumber and food-stuffs into what had been a huge, lucrative market. For a short time,

increased trade with northern Europe and China compensated for the decline in British trade—until overseas merchants discovered that a trade agreement with Congress was meaningless without trade agreements from individual states, each of which was sovereign, independent, and able to impose tariffs or embargoes on goods that crossed its borders. Rather than trying to negotiate separate agreements with thirteen states, therefore, many foreign traders simply stopped doing business with America.

After an unsuccessful attempt to negotiate a reversal of the British trade decision, John Adams, the American minister to Britain, wrote to Congress and echoed Washington's words. The British, Adams declared, had acted "in full confidence that the United States . . . cannot agree to act in a body as one nation; that they cannot agree upon any navigation act which may be common to the thirteen states." A strong proponent and signer of the Declaration of Independence, Adams issued a stark warning:

if there is not an authority sufficiently decisive to draw together the minds, affections, and forces of the States, in their common, foreign concerns, it appears to me, we shall be the sport of transatlantic politicians of all denominations, who hate liberty in every shape, and every man who loves it, and every country that enjoys it.<sup>9</sup>

Adams's warning combined with the British trade embargo to convince some defenders of state supremacy of the need for shoring congressional powers. Indeed, even the patron saint of local rule, former governor Patrick Henry, then a member of Virginia's House of Delegates (state assembly), stunned his colleagues by predicting "Ruin inevitable unless something is done to give Congress a compulsory Process on delinquent States & c." Henry's close friend and political ally Richard Henry Lee agreed and urged calling a convention "for the sole purpose of revising the Confederation" to permit Congress to act "with more energy, effect, & vigor."<sup>10</sup>

Learning of Henry's declaration, Washington grew optimistic: "Notwithstanding the jealous and contracted temper which seems to prevail in some of the states, I cannot but hope and believe that the good sense of the people will ultimately get the better of their prejudices," he wrote to one of his wartime aides, Jonathan Trumbull Jr.,





John Adams. Named the first American minister to Britain after helping to negotiate the peace treaty that established American independence, Adams warned Congress that the United States would be “the sport of transatlantic politicians of all denominations” unless it established a strong central government.

the son of Connecticut’s governor. “Every thing, My Dear Trumbull will come right at last.”<sup>11</sup>

But nothing came right. In fact, the “nation” hardly deserved to be called a nation. Rather than heed Washington’s call to convention, to give “energy” to the Articles of Confederation, state political leaders emasculated the Confederation, using their powers and wealth to transform the former colonies into independent fiefdoms. Some states set property qualifications for holding high office at £10,000 (about \$750,000 today<sup>12</sup>). Others limited voting eligibility

to owners of at least five hundred acres. In the end, the reins of state government fell into the grip of powerful merchant-bankers in the North and owners of the largest plantations in the South. In addition to control over trade, market pricing, and lending rates, merchant-bankers and plantation owners gained control of state taxing powers and the courts, which gave them an economic stranglehold over shopkeepers, craftsmen, and farmers.

As popular dissatisfaction swelled, Congress continued its disingenuous debates over national unity, even as the states warred with one another over conflicting territorial claims: New York and New Hampshire over claims to Vermont, Virginia and Pennsylvania over territory in the West, and Pennsylvania and Connecticut over the Wyoming Valley in northeastern Pennsylvania. In addition to territorial disputes, six states were involved in fierce economic disputes over international trade. States with deepwater ports such as Philadelphia, New York, and Boston were bleeding the economies of neighboring states with heavy duties on imports. "New Jersey, placed between Phila & N. York, was likened to a cask tapped at both ends," complained James Madison, one of Virginia's delegates in Congress, "and N. Carolina, between Virga & S. Carolina [seemed] a patient bleeding at both arms."<sup>13</sup>

Other factors, such as geography and language, also worked against national unity. Philadelphia lay more than three days' travel from New York, about ten days from Boston, and all but inaccessible from far-off cities such as Richmond or Charleston during various times of year. Foul winter weather and spring rains isolated parts of the country for many months each year and made establishment of close cultural ties difficult at best and often impossible. In many significant respects, the South—and southerners—were as foreign to most New Hampshire men as China and the Chinese. Indeed, only 60 percent of Americans had English origins. The rest were Dutch, French, German, Scottish, Scotch Irish, Irish, even Swedish. Although English remained the common tongue after independence, German prevailed in much of eastern Pennsylvania, Dutch along the Hudson River Valley, French in Vermont and parts of New Hampshire and what would later become Maine. As early as 1750, Benjamin Franklin was already complaining that Germantown was engulfing Philadelphia and that Pennsylvania "will in a few years become a

German colony. Instead of learning our language, we must learn theirs, or live as in a foreign country.”<sup>14</sup>

With Congress impotent and New York City so distant, delegates from far-off states appeared only intermittently, and a few states stopped appointing delegates. When they did meet, they had little in common and barely fathomed each other's thinking. Without money or means to raise any, Congress stopped repaying principal and interest on foreign debts, disbanded its navy, and reduced its army to a mere eighty privates.<sup>15</sup>

Secretary at War Henry Knox, who had been a major general and Washington's chief of artillery from their early days in Cambridge in 1775, warned his old friend that “different states have . . . views that sooner or later must involve the Country in all the horrors of civil war. . . .

A Neglect, in every State, of those principles which lead to Union and National greatness—An adoption of local, in preference to general measures, appear to actuate the greater part of the State politicians—We are entirely destitute of those traits which should stamp us *one Nation*, and the Constitution of Congress does not promise any alteration. . . . Every State considers its representative in Congress not so much the Legislator of the whole Union, as its own immediate Agent or Ambassador to negotiate, & to endeavour to create in Congress as great an influence as possible to favor particular views &c.<sup>16</sup>

In 1784, Spanish authorities added to America's miseries by closing the Mississippi River to American shipping. The shutdown isolated farmers in those parts of Virginia, Georgia, and the Carolinas that lay west of the Appalachian Mountains. Not only could they no longer ship to New Orleans, primitive dirt roads left the Appalachians all but impenetrable and made it impossible to haul grain eastward. Settlers took up arms and threatened to march on New Orleans. Intent on blocking American access to its lucrative Mexican colonies, the Spanish government sent an envoy, Don Diego de Gardoqui, to the United States in the spring of 1785 to open ports in Spain to American trade if the United States would waive their rights to navigate the Mississippi. Gardoqui met with Secretary for Foreign Affairs John Jay, the wealthy New York attorney who had

written his state's constitution and had been a primary negotiator of the peace treaty with Britain.

Suspicious that the easterner Jay would give away what westerners called their "natural rights" to the Mississippi, North Carolina's western territory seceded, renaming itself the State of Franklin and electing Revolutionary War hero and Indian-fighter John Sevier as governor. A wily land speculator, he joined the so-called "Spanish Conspiracy" led by Kentucky's James Wilkinson, who was leading the agitation for Kentucky independence. The unscrupulous Wilkinson, however, was also negotiating secretly with Spanish authorities, who promised Wilkinson and his inner circle a trade monopoly if he succeeded in provoking the American settlements west of the Appalachians to secede and establish a new nation friendly to Spain.

A year later, Jay confirmed westerner fears and agreed to relinquish American navigation rights on the Mississippi River for twenty-five years in exchange for Gardoqui's agreement to open ports in Spain to American trade—an agreement that would primarily benefit the Northeast. Congress voted seven (northern states) to five (southern states) in favor—short of the nine states needed to ratify treaties, but more than enough to outrage the South and expose the willingness of northern states to sacrifice the interests of other states and regions for the right price. Virginia and other southern states whose boundaries extended to the Mississippi River threatened to secede.

"To sell us and make us vassals to the merciless Spaniards, is a grievance not to be borne," protested a Kentuckian in the *Maryland Journal*. He went on to warn that "Preparations are now making here . . . to drive the Spaniards from the settlements at the mouth of the Mississippi.

In case we are not countenanced and succored by the United States . . . our allegiance will be thrown off, and some other power applied to. Great-Britain stands ready, with open arms to receive and support us.—They have already offered to open their resources for our supplies.—When once reunited to them, 'farewell—a long farewell to all your boasted greatness'—The province of Canada and the inhabitants of these waters, of themselves, in time, will be able to conquer.—You are as ignorant of this country as Great-Britain was of America.<sup>17</sup>



Southern threats of secession emboldened New Englanders to call for establishment of a northern confederacy. "How long," asked a correspondent in the *Boston Independent Chronicle*, "are we to continue in our present acquiescence . . . ?"

The five States of New-England, closely confederated can have nothing to fear. Let then our General Assembly immediately recall their Delegates from . . . Congress, as being a useless and expensive establishment. Send proposals for instituting a new . . . nation of New-England, and leave the rest of the Continent to pursue their own imbecile and disjointed plans, until they have . . . acquired magnanimity and wisdom sufficient to join a confederation that may rescue them from destruction.<sup>18</sup>

By 1786, the states began abandoning the Confederation of American States, and the nation all but collapsed politically and economically. Civil war seemed imminent. Pennsylvania's Charles Petit called the political situation "wretched—Our Funds exhausted, our Credit lost, our Confidence, in each other and in the federal Government destroyed."<sup>19</sup>

Discouraged by the nation's deterioration, Henry Knox again turned to George Washington: "We have arrived at that point of time," Knox warned, "in which we are forced to see our national humiliation . . . something must be done or we shall be involved in all the horror of faction and civil war without a prospect of its termination. . . ."

We imagined that the mildness of our government and the *virtue* of our people were so correspondent, that we were not as other nations requiring brutal force to support the laws—But we find that we are men, actual men, possessing all the turbulent passions belonging to that animal and that we must have a government proper and adequate to him. . . . Unless this is done we shall be liable to be ruled by an Arbitrary and Capricious armed tyranny, whose word and will must be law.<sup>20</sup>

In fact, Washington was already responding to the crisis, hoping to use common commercial interests to unite the nation. In the spring before the Jay-Gardoqui negotiations, Washington had hosted a conference at his palatial Mount Vernon mansion in northern Vir-

ginia, for representatives of Maryland and Virginia to establish joint jurisdiction over the commercial shipping channel in Chesapeake Bay and the lower Potomac River and apportion expenses appropriately. Virginia's delegates included Washington's neighbor the wealthy planter George Mason, and James Madison, who had served in Congress for three years and was now an influential young member of the Virginia House of Delegates.

The Mount Vernon conference saw the two states go beyond expectations by adopting uniform commercial regulations and a uniform currency—in effect, establishing a commercial union. At Washington's suggestion, they agreed to support one of his longtime pet projects—a system of canals and portage roads to link the Ohio, Monongahela, and Allegheny rivers and the Great Lakes to the Atlantic Ocean via the Potomac River and Chesapeake Bay. The gigantic waterway would ultimately solve the conflict with Spain over Mississippi River navigation rights by allowing the wealth of the continent beyond the Appalachian Mountains—furs, ore, timber, and grain—to flow swiftly, easily, and inexpensively to Atlantic ports for transport to Europe and the West Indies. Owner of more than thirty thousand acres of rich western farmlands, Washington stood to enhance his personal fortune from the project, but he had other, grander motives for engaging state governments in the waterway. As he explained to his friend Virginia governor Benjamin Harrison,

I need not remark to you Sir, that the flanks & rear of the United States are possessed by other powers . . . nor, how necessary it is to apply the cement of interest, to bind all parts of the Union together by indissoluble bonds—especially that part of it, which lies immediately west of us. . . . The Western settlers, (I speak now from my own observation) stand as it were upon a pivot—the touch of a feather, would turn them any way—They have look'd down the Mississippi, until the Spaniards (very impolitely I think, for themselves) threw difficulties in their way; & they looked that way for no other reason, than because they could glide gently down the stream . . . & because they have no other means of coming to us but by a long Land transportation & unimproved roads. These causes have hitherto checked the industry of the present settlers. . . . But smooth the road once, & make easy the way for

them, & then see what an influx of articles will be poured in upon us—how amazingly our exports will be encreased by them, & how amply we shall be compensated for any trouble & expence we may encounter to effect it.<sup>21</sup>

In the months following the Mount Vernon conference, the Virginia and Maryland legislatures appropriated funds to develop Potomac and James river navigation and build portage roads to Ohio River tributaries. Leaders in both states hailed Washington's success and named him president of the Potomac Company. In just four months, he had succeeded in organizing the greatest public works project in North American history and unified two states that had hitherto been in continuing conflict over rights to the waterways they shared. In ratifying the waterway agreement, Virginia and Maryland agreed to review interstate commercial relations annually and to invite neighboring Delaware and Pennsylvania to participate because of their proximity to the waterway.

But Washington's vision was wider still, and he began a letter-writing campaign to enlist supporters from almost every state, including Massachusetts merchant and political activist James Warren; New York's John Jay; the brilliant North Carolina scholar, scientist, and political leader Hugh Williamson; and, of course, the leading figures in Virginia—Thomas Jefferson, James Madison, and Richard Henry Lee, Virginia's elder statesman, who had been president of Congress the previous year and remained a member of that body.

"We are either a United people, or we are not," Washington wrote to Madison. "If the former, let us, in all matters of general concern act as a nation, which have national objects to promote, and a National character to support—If we are not, let us no longer act a farce by pretending to it, for whilst we are playing a dble game, or playing a game between the two we never shall be consistent or respectable—but *may* be the dupes of some powers, and most assuredly, the contempt of all."<sup>22</sup>

In an effort to respond to Washington's concerns, Madison suggested that Virginia expand the scope of the proposed four-state commercial convention by inviting all states to participate in a convention at Annapolis, Maryland, the following September, to consider unifying interstate and foreign commerce regulations, eliminating interstate trade restrictions, and facilitating trade agreements with



foreign nations. A member of Congress since 1780, Madison had been too frail and sickly to serve in the army and had waged his own personal war for America by leading the struggle in Congress to promote interstate unity—a goal he believed could be reached by expanding the powers of Congress to include the right to levy taxes to support a standing army and navy for national defense.

Congress responded favorably, with the renowned South Carolina attorney Charles Pinckney proposing a reorganization of government. A “grand committee” then worked out seven amendments to the Articles of Confederation to strengthen congressional powers. But the bitter sectionalism generated by the Jay-Gardoqui Treaty proved too strong, and the amendments were tabled when a brash Virginia delegate, Revolutionary War hero James Monroe, set congressional tempers ablaze by accusing New England and New York leaders of plotting secession from the Confederation. The furor he incited not only forced Congress to table the reform amendments, it almost demolished hopes for the success of the interstate convention scheduled at Annapolis in September.

Although nine states had agreed to participate, the delegates of only five states showed up on time—New York, New Jersey, Delaware, Pennsylvania, and Virginia—too few to take any action, but nonetheless fervently committed to government reform. They issued a dramatic call for all states to attend a second, more substantial convention in Philadelphia the following May “to take into consideration the situation of the United States, to devise further provisions as shall appear to them necessary to render the constitution of the Fœderal Government adequate to the exigencies of the Union.”<sup>23</sup>

As the year progressed, the nation plunged into economic depression and near anarchy. More than 30 percent of the nation’s farmers were unable to pay their debts to merchants and shopkeepers, let alone taxes. Foreign trade dropped nearly 25 percent, farm income 20 percent. Adding momentum to the economic decline, Spain’s ban on American shipping on the Mississippi had bankrupted untold numbers of farmers and merchants west of the Appalachians. As creditor suits multiplied, thousands of farmers saw their lands and homes confiscated, and their livestock and personal possessions—including tools of their trade—auctioned at prices too low to clear their debts. Hysterical wives and terrified children watched

helplessly as sheriff's deputies dragged farmers off to debtors' prisons, where they languished indefinitely—unable to earn money to pay their debts and without the tools to do so. Publisher Isaiah Thomas, who had fought as a Minuteman at Lexington and Concord before starting the *Massachusetts Spy*, reported prisoners dying in small, damp, moldy cells—"a place which disgraces humanity." Samuel Ely, a Massachusetts farmer, testified of his suffering "boils and putrefied sores all over my body and they make me stink alive, besides having some of my feet froze which makes it difficult to walk."<sup>24</sup>

Enraged farmers across the nation, almost all of them Revolutionary War veterans, took up rifles and pitchforks to protect their properties, firing at sheriffs and others who ventured too near. Reassembling their wartime companies, they attacked and set fire to prisons, courthouses, and county clerk offices. Virginia mobs burned down the King William and the New Kent county courthouses. A mob in Maryland burned down the Charles County courthouse. In New Hampshire farmers marched to the state capital at Exeter, surrounded the legislature, and demanded forgiveness of all debts, return of all seized properties to former owners, and equitable distribution of property. In western Massachusetts, the farmer uprising grew into outright rebellion when former captain Daniel Shays, a farmer struggling to hold on to his property, convinced a rally of neighbors that local lawyers and judges were colluding with eastern merchants in the Boston legislature to raise taxes and seize farms for nonpayment. While the legislature plunged farmers deeper into debt, he said, judges appointed by the Boston establishment were sending debtor farmers to jail. With that he shouted the words that became the watch cry of farmers across the state: "Close down the courts!"

Echoing his call, farmers marched to courthouses in Cambridge, Concord, Worcester, Northampton, Taunton, and Great Barrington—and shut them all down. Hailed by farmers across the nation as the Second American Revolution, the court shutdowns brought an abrupt end to foreclosures in Massachusetts. Determined to expand his successes, Shays led a force of five hundred men to Springfield, intent on seizing the federal arsenal and marching to Boston to overthrow the state government.

"The commotions . . . have risen in Massachusetts to an alarming height," wrote Henry ("Light-Horse Harry") Lee to Washington from Congress. "After various insults to government, by stopping the courts of justice &c., the insurgents have in a very formidable shape taken possession of the town of Springfield. . . . This event produces much suggestion as to its causes—Some attribute it to the weight of taxes and the decay of commerce. . . . Others, to British councils."<sup>25</sup>

As rumors spread that British spies and provocateurs were behind the spreading riots, Lee grew alarmed and warned,

A majority of the people of Massachusetts are in opposition to the government, some of their leaders *avow* the *subversion* of it to be their object together with the abolition of debts, the division of property and re-union with G. Britain—In all the eastern states the same temper prevails more or less, and will certainly break forth whenever the opportune moment may arrive—the mal-contents are in close connexion with Vermont—& that district it is believed is in negotiation with the Governor of Canada—In one word my dear Genl we are all in dire apprehension that a beginning of anarchy with all its calamities has approached & have no means to stop the dreadful work.<sup>26</sup>

Lee's letter shocked Washington, who replied that the Shaysites had exhibited "a melancholy proof . . . that mankind left to themselves are unfit for their own government. I am mortified beyond expression whenever I view the clouds which have spread over the brightest morn that ever dawned upon any country. In a word, I am lost in amazement when I behold what intriguing . . . desperate characters; Jealousy; & ignorance of the Minor part, are capable of effecting as a scourge on the major part of our fellow citizens of the Union."<sup>27</sup>

After forcing the state Supreme Court in Springfield to adjourn, Shays and his men encamped near Worcester, where one thousand more farmers armed with muskets and pitchforks rallied to his side. Some went off to recruit other farmers—and turned viciously on those who refused to join. "Farmyard wars" erupted, with Shaysites and anti-Shaysites pillaging each other's properties and, too often, slaughtering each other, as well as innocent farmers and their

families who sought to remain neutral. In Boston, wealthy merchants helped the government organize forty-four hundred militiamen under former wartime general Benjamin Lincoln to march to Springfield and support the four-hundred-man force guarding the arsenal. Before Lincoln arrived, however, Shays's men attacked, but found their pitchforks no match for the arsenal's artillery, which unloosed a devastating barrage that sent the farmers fleeing in panic. Lincoln's army arrived on the scene soon after, capturing most of the rebel "army."

Shays and his officers fled to safety in Vermont, but in defeat they scored a resounding victory for Massachusetts farmers, who flocked to the polls as never before and turned Governor James Bowdoin and three-quarters of the state's legislators out of office. Although a member of the wealthy merchant class, Governor-elect John Hancock pledged amnesty for Shaysites, and the new, profarmer legislature acceded to almost all Shaysite demands. It passed a law exempting clothing, household possessions, and tools of trade from seizure in debt proceedings and allowed imprisoned debtors to win release and go back to work by taking a pauper's oath that they had no income. In a symbolic gesture to win farmer support, Governor Hancock cut his own salary, and, to quell civil strife and promote economic recovery, he convinced legislators to declare a tax holiday for a year and reduce property taxes substantially thereafter.

As farmer rebellions spread from state to state, fears increased that Shaysites had asked British emissaries in Canada to send troops back into the United States to help establish a new independent state covering Vermont and western Massachusetts. "British influence is operating in this mischievous affair," a Virginia delegate warned Governor Patrick Henry. "It is an undoubted truth that communications are held by Lord Dorchester with both the Vermonters, and the insurgents of Massachusetts, and that a direct offer has been made to the latter, of the protection and Government of Great Britain."<sup>28</sup>

James Madison was equally fearful: "It was known that there were individuals who had betrayed a bias towards Monarchy, and there had always been some not unfavorable to a partition of the Union into several confederacies. . . . The idea of a dismemberment had recently made its appearance in the Newspapers."<sup>29</sup>

Just as the shots fired at Lexington had echoed in London's Parliament, so the shots fired in Springfield reverberated loudly in Congress and in the nation's state capitals and jolted even the most ardent state supremacists into realizing that their only hope of retaining their wealth, power, and sovereignty lay in sharing enough of each with a central government strong enough to ensure national integrity. As popular demand grew for a stronger central government to quell spreading violence and disorder, state legislatures responded. In November 1786, Virginia authorized the election of delegates to attend the Philadelphia convention, which it called "preferable to a discussion of the subject in Congress . . . the crisis is arrived at which the good people of America are to decide the solemn question."<sup>30</sup> New Jersey's legislature followed suit a day later; Pennsylvania did the same in December, North Carolina and New Hampshire in January 1787, and Delaware and Georgia in February. On February 21, Congress itself approved the call to convention and recommended that all states send delegates "for the sole and express purpose of revising the articles of confederation . . . [and] render the federal constitution, adequate to the exigencies of government and the preservation of the union."<sup>31</sup>

In the months that followed, five more states—Massachusetts, New York, South Carolina, Connecticut, and Maryland—agreed to participate. Only Rhode Island refused—three times. James Madison ascribed Rhode Island's response to "an obdurate adherence to an advantage which her position gave her of taxing her neighbors through their consumption of imported supplies." Rhode Island ports eliminated the need to sail around Cape Cod to Boston to deliver goods bound for most of New England. The heavy flow of duties that resulted gave Rhode Island every incentive to remain independent and sovereign.

Virginia's Assembly elected seven delegates, with the most votes going to George Washington, who had retired from public life at the end of 1783 with a theatrical surrender of his Revolutionary War commission in Congress. "Having now finished the work assigned me," he had proclaimed to Congress, "I retire from the great theatre of action; and bidding an Affectionate farewell to this August body . . . I here offer my commission, and take leave of all employments of public life."<sup>32</sup>

After retiring to Mount Vernon, he had written to his close friend the marquis de Lafayette, who was back in France:

I am become a private citizen on the banks of the Potomac & under the shadow of my own Vine & my own Fig tree, free from the bustle of camp & the busy scenes of public life, I am solacing myself with those tranquil enjoyments, of which the Soldier who is ever in pursuit of fame . . . can have very little conception. . . . Envious of none . . . I will move gently down the stream of life, until I sleep with my Fathers.<sup>33</sup>

As violence and disorder threatened to plunge the nation into anarchy, however, the eyes—and voices—of state leaders turned to the man who had saved the Revolution. Even before Shays's Rebellion, John Jay had written to Washington, pleading, "Altho' you have wisely retired from public Employments, I am persuaded you cannot view . . . your country . . . with the Eye of an unconcerned Spectator. . . .

Experience has pointed out Errors in our national Government, which call for Correction. It is in Contemplation to take measures for forming a general convention. . . . I am fervent in my Wishes, that it may comport with the Line of Life you have marked out for yourself, to favor your country with your counsels on such an important & single occasion. I suggest this merely as a Hint for your consideration.<sup>34</sup>

Despite his pledge to retire under his proverbial vine and fig tree, Washington had fought too long and hard in the Revolutionary War to relinquish his unique status as a national hero who could influence, if not dictate, national affairs. "I coincide perfectly in sentiment with you," Washington replied to Jay, "that there are errors in our National Government which call for correction. . . . That it is necessary to revise, and amend the Articles of Confederation, I entertain no doubt . . . something must be done. I do not conceive we can exist long as a nation, without having lodged somewhere a power which will pervade the whole Union."<sup>35</sup> And in a second letter to Jay he admitted, "I frankly acknowledge I cannot feel myself an unconcerned spectator."<sup>36</sup>

Washington grew more concerned as rioting spread across the nation's farmlands. "What a triumph for the advocates of despotism to find we are incapable of governing ourselves," he railed in another

letter to Jay. "Would to God that wise measures may be taken in time to avert the consequences we have but too much to apprehend."<sup>37</sup>

As he organized the great waterway to bind East and West commercially, Washington used his correspondence on the project to express his views for governmental reform that would bind the country politically. Washington told leaders in every state that rather than simply amending the Articles of Confederation, he favored replacing the unicameral Congress of the Confederation with a new, stronger federal government with three separate branches—an executive, a judiciary, and a legislature—with collective, coercive powers over the states and their citizens. In effect, he favored scrapping the old American government and creating a more authoritarian regime that would strip the states of political and economic sovereignty in such areas as national defense, international and interstate trade, and interstate disputes. Far from adhering to the mandate of Congress and instructions from the various state legislatures, Washington favored nothing less than the overthrow of the American government—in effect, a revolution, albeit a bloodless one, to substitute one form of government with another.

Named to lead the Virginia delegation, Washington expressed some reluctance, fearing that if he reneged on his pledge to retire from public life, state supremacists might charge him with tyrannical ambitions and block efforts to establish a new central government.

"It is the general wish that you should attend," Secretary at War Henry Knox reassured his former commander a month before the Convention was to begin. "It is conceived to be highly important to the success of the propositions of the convention."<sup>38</sup>

Although he feigned disinterest, Washington acceded "to the wishes of many of my friends who seemed extremely anxious for my attending the Convention . . . tho' so much afflicted with a rheumatic complaint (of which I have not been entirely free for Six months) as to be under the necessity of carrying my arm in a sling for the last ten days." He said he made his decision to attend and "depart from the resolution I had taken of never more stepping out of the walks of private life . . . with a good deal of reluctance . . . from a conviction that our affairs were verging fast to ruin."<sup>39</sup>

Patrick Henry, who had completed his fifth one-year term as Virginia governor and had also retired from public life, received the

second most votes among the delegates to the Constitutional Convention. He refused to go, despite pleas from Edmund Randolph, his successor in the governor's chair: "I most sincerely wish your presence at the federal convention at Philadelphia," Randolph pleaded.

From your experience of your late administration, you must be persuaded that every day dawns with perils to the United States. To whom, then, can they [people of Virginia] resort for assistance with firmer expectation, than to those who first kindled the Revolution? In this respectable character you are now called upon by your country. You will therefore pardon me for expressing a fear that the neglect of the present moment may terminate in the destruction of Confederate America.<sup>40</sup>

Henry waited two months before replying, "I feel myself constrained to decline acting under this appointment." He gave no reasons, but James Madison saw Henry's refusal as an ominous sign that Henry was preparing to lead the fight to retain the Articles of Confederation:

"I hear from Richmond, with much concern," Madison wrote to Washington, "that Mr. Henry has positively declined his mission to Philada. Besides the loss of his services on that theatre, there is danger I fear that this step has proceeded from a wish to leave his conduct unfettered on another theatre, where the result of the convention will receive its destiny from his omnipotence."<sup>41</sup> Madison reiterated his suspicions to Thomas Jefferson, then serving as American minister to Paris: "Mr. Henry's disgust exceeds all measure, and I am not singular in ascribing his refusal to attend the convention to the policy of keeping himself free to combat or espouse the result of it."<sup>42</sup>

Besides Washington and Henry, the Virginia Assembly had elected Governor Randolph, John Blair, James Madison, George Mason, and George Wythe. They tried replacing Henry with Richard Henry Lee, but Lee declined the post, saying it would be in conflict with his position as a member of the Confederation Congress, which was the very government the Convention would be duty-bound to change. With Jefferson in Paris, Madison turned to a lesser-known political ally, Dr. James McClurg, a world-renowned physician who had



served as surgeon to the American Navy and had been physician-general and director of hospitals for Virginia's military forces. An ardent advocate of a strong central government, he happily accepted election to the Convention.

Although Washington was pleased by the nationalist tinge of his home state's delegation, he realized that Patrick Henry and Henry's political allies were already plotting to undermine the work of the Convention. Instead of national unity under a strong central government, Henry seemed determined to effect "a dismemberment of the Union."<sup>43</sup>