Subjects or Rebels:
The Dominion of New England and the Roots of Anglo-American Conflict / The Right to Fortifications:
American Communities and the Politics of Harbor Defense: 1794-1812

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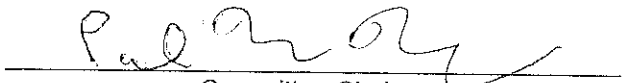

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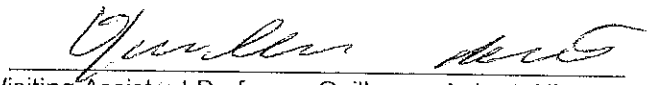

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ABSTRACT

Subjects or Rebels:
The Dominion of New England and the Roots of Anglo-American Conflict

This paper argues that the process by which the English Crown's initially modest attempts to tweak New England colonial governance dovetailed into a reactionary denial of all colonial liberties. The imposition of autocratic imperial rule and armed occupation of New England reflects the fundamental bankruptcy of the "imperial constitution," namely, the incompatibility of the right of colonists to representative assemblies and the imperial authority of the English state. Because on a constitutional level the two were incompatible, a protracted conflict between colonists and metropolitans had a strong likelihood of ending in logical extremes neither party expected or wanted: the abolition of colonial self-government by the English state and a revolutionary attack on the authority of the English state by colonists. As long as colonists and metropolitans failed to reconcile colonial rights with metropolitan sovereignty, they papered over a zero sum game. This paper is preliminary and based upon an initial reading of sources; additional research of contemporary scholarship in particular would improve it.

ABSTRACT

The Right to Fortifications:
American Communities and the Politics of Harbor Defense: 1794-1812

This paper argues that American seaport towns played an outsized and determinative role in the fortification of their harbors in the immediate post-revolutionary period. While historians have examined the individual and collective efforts of military engineers during this period, they have neglected the importance of the labor, financial and political resources of cities in realizing seacoast defense. I found strong connections between urban politics and urban seacoast fortifications at every level from grassroots community organizations to the halls of Congress. To complete this project and properly qualify its conclusions, however, a comprehensive analysis of legislative dynamics and seaport populations would be necessary. This paper might serve as the nucleus of future research on the relationship between American communities and fortifications.

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ACKNOWLEDGEMENTS

I would like to thank Professors Paul Mapp, Guillaume Aubert and Christopher Grasso for their assistance, guidance and support.

INTELLECTUAL BIOGRAPHY

Fortifications, Communities and Politics

My primary research interest is the intersection between community, military and political history, in particular around the fortifications of early North American colonists.

One of my chief interests is the relationship between different tiers of government in relation to problems of defense and security. I believe that such a study challenges many accounts in which local participation is underplayed and high-level central involvement is exaggerated. In my undergraduate thesis, “The Politics of the Gate: Byzantine City Walls and the Urban Negotiation of Imperial Authority,” I looked at Byzantine towns and their fortifications, and how the role populaces played as defenders of those fortifications and ultimately as decision-makers on decisions over whether to resist or surrender, and how this popular power affected their political and military relationship with the Emperor in Constantinople.

My general belief is that in many areas fortifications (whether they defend a great metropolis or a small cabin) have a much stronger relationship with the people who actually defend them and are defended by them than is commonly acknowledged by historians. I believe the rich interactions around military architecture can be deeply revealing about the basic structure and culture of a given society. I also believe, in the early modern and premodern context at the very least, in the importance of recognizing that important settlements were almost universally fortified strongholds in every settled society on earth.

I am interested in how the division of fortified strongholds impacted societies. Such ramifications can be political and economic, but also can involve religion, culture and gender. I am particularly interested in exploring this last facet: in much of the ancient world, fortifications were explicitly identified as feminine, separating a domestic space of nurture from a masculine exterior defined by conflict and danger just as the walls of the house have defined domesticity in some cultures. Cultural and religious links between women and fortifications have long been connected to the material reality that in numerous societies (and certainly in colonial North America for the English, French, Spanish and Indigenous peoples) landscapes were punctuated by fortified places in which women, along with the young and the old of both genders, would typically remain while male warriors conducted offensive and defensive warfare, not to mention long-distance trade, diplomacy and exploration.

While military scholarship has long been interested in the conduct of male warriors and concern themselves with fortified places only when men besiege or defend them, I am interested in how the reality of fortification was experienced not only by male warriors but by women and other noncombatants, who dealt with loneliness of waiting for absent men, the frenzy of collective defense, the weary privations of siege and the social catastrophe of the sack. Some scholars have begun to productively explore such relationships, particularly in ancient and medieval contexts, but such issues are very applicable to the various borderlands of colonial North America and greater research is needed to define how the people of different societies experienced these pressures at different times. Forts

were certainly used for purposes besides civilian protection in early America, such as advance bases for military garrisons. However, I believe scholars of both European colonists and Indigenous nations who take close looks at community history would benefit from enfolding defensive considerations into their historical portraits.

In my two research papers so far, I examined two areas of my general interest. In my first paper, “Subjects or Rebels: The Dominion of New England and the Roots of Anglo-American Conflict,” I looked at late seventeenth century New England and the relationship between colonial assemblies and the English crown with an eye to how different tiers of government interacted with each other in the colonial era. In my second paper, “The Right to Fortifications: American Communities and the Politics of Harbor Defense, 1794-1812,” I looked more directly at the relationship between communities and defense, in this case United States seaports and harbor artillery fortifications in the immediate post-revolutionary republic. In this paper I pursued my interest in relationships between local and higher government, looking at how seaport communities agitated for fortifications on different political levels, from the federal to the local, while also looking at direct popular participation in building them. This paper sketched political relationships between communities and the construction of military architecture but did not examine its actual use in wartime.

I am interested in focusing my research on a particularly pervasive but understudied phenomenon, the proliferation of simple timber fortifications in the North American borderlands, which applied to both English and Indigenous

people and less to other European powers: both Spain and France supplied their colonies with professional engineers and built massive masonry fortifications to protect their North American colonies rather than relying on local, unprofessional initiative. In the future United States, timber garrisons, stockades and forts defined the frontier from the first east coast foothold to the final Euroamerican conquest of the continent. The scope of the task and the often localized and impermanent nature of the evidence make a general study impossible, but I am very interested in conducting some regional study after better familiarizing myself with the relevant scholarship. Such a study would be useful, I hope, to our knowledge of decentralized politics, gender, frontier warfare and community in early North America.

In contemporary times, such a focus is relevant to studies of housing, class, crime and security, with an eye towards real and imagined dangers to various groups and the street grids, policing, border walls, gated communities and other measures taken to secure against them. My interest in American security, community and politics directly intersects with the history of policing, the second amendment and modern housing segregation. Understanding the old world of fortifications, community militias and night watches can illuminate such contemporary concerns, which I would also liked to study if I had the opportunity.

Subjects or Rebels:

The Dominion of New England and the Roots of Anglo-American Conflict

Introduction: The Forgotten Viceroyalty

The late seventeenth century reign of Dominion of New England is an undeservedly forgotten episode in American colonial and English imperial history. It has virtually no presence in American popular culture, historical reenactments or even high school history textbooks, which in their portraits of New England tend to focus heavily on the Puritan commonwealth before and the birth of revolution and independence after. One might expect this period to hold greater public interest as the first great revolutionary clash between the supremacy of the English empire and the rights of English colonists. In the 1680s, the English Crown dissolved the colonies of New Hampshire, Massachusetts, Rhode Island, Plymouth, Connecticut, New York, West Jersey, East Jersey and Delaware and absorbed them into one super-colony christened the Dominion of New England.[1] The Crown also dissolved the previous colonial governments, which had been mostly dominated by elected assemblies and placed all legislative, executive and judicial powers in the hands of a single dictatorial governor, who was to rule from Boston as viceroy of the Dominion on behalf of the king. The seventeenth century progress of representative government in English America so important to the revolutionary history of eighteenth century Europe and America was entirely (if temporarily) overturned.

[1] Viola Florence Barnes, The Dominion of New England, a Study in British Colonial Policy, (New York: F. Ungar Pub. Co., 1960).

Such a dramatic, autocratic change probably dismays a modern reader and indeed, the Dominion of New England alarmed many people in the seventeenth century as well. In 1684, the abolition of colonial assemblies was openly debated in the English Privy Council before King Charles II. In this session, the defenders of American assemblies, formerly dominant in royal councils, were of a decided minority, and those advocating their abolition, recently ascendant in royal favor, an overwhelming majority. In this council, the Marquess of Halifax—long the most sincere and outspoken friend of colonial liberties in the English government—risked royal displeasure to offer a passionate defense of assemblies.[2]

Halifax declared that, "an absolute government is neither so happy nor so safe, as that which is tempered by laws, and which sets bounds to the authority of the prince."[3] Halifax argued that the colonists, as Englishmen, were entitled to all the rights and liberties of Englishmen at home and finished with the rousing statement that he himself would not "live under a King, who should have it in his power to take, when ever he thought proper, the money he has in his pocket."[4] In his speech, Halifax used the language of the seventeenth-century English theory of limited monarchy: that kings should be restrained by the power of elected legislatures from invading the liberties and properties of their subjects. Halifax articulated in rousing terms the opinions of the party of English politicians and bureaucrats who had up to this point directed imperial policy towards England's

[2] H. C. Foxcroft, 1865-, and George Savile Halifax, *The Life and Letters of Sir George Savile, Bart., First Marquis of Halifax*, [Wilmington, Del: Scholarly Resources, 1973, 428.

[3] Ibid.

[4] Ibid.

American colonists in the Lords of Trade and Plantations (the pseudo-departmentalized Privy Council committee charged with colonial affairs of which Halifax was a highly active member).[5] [6] [7]

This group supported Halifax's ethical defense of assemblies with legal and fiscal reasons. According to English law, as Englishmen, colonists could not be deprived of their right to assemblies, they pointed out. They cited England's Attorney General's report that notwithstanding any changes in administration, the New Englanders could not be deprived of the right "to consent to such laws and taxes as shall be made in New England."[8] Moreover, they argued, colonial assemblies were cost-efficient, placing the expenses of administration and defense on colonists rather than the mother country. Assemblies were also universally beloved by colonists, and removing them would make governing them by some other means prohibitively burdensome.[9] Justice, Finance and Legality would seem to support the presence of robust elected assemblies given authority over legislation and taxation in England's American colonies.

The pro-assembly argument of Halifax and his party was opposed in the Privy Council session of 1684 by a group who argued that the right of colonists to assent to or reject taxation through assemblies was inimical to the prerogative of the English crown, and far from being protected by English law, was in fact the

[5] The organization and personnel of the Lords of Trade and its relation to its institutional successors and predecessors is best described by Winifred T. Root in "The Lords of Trade and Plantations, 1675-1696," (The American Historical Review 23, no. 1, 1917: 20-41) and by Ralph P. Bieber in "The Lords of Trade and Plantations, 1675-1696," (H.R. Haas & Co.).

[6] Journal of Lords of Trade and Plantations, Nov 22, 1684, CO 391/5, 35-39.

[7] Lords of Trade and Plantations to the Lord President, Aug 26, 1685, CO 5/904, 251.

[8] Ibid.

[9] Edward Randolph to Lords of Trade and Plantations, Boston, Aug 23, 1686, CO 1/60, No. 32, and CO 5/904, 332-335.

chief obstacle to its successful implementation in the colonies.

The future James II, in 1684 Duke of York and heir to the throne, did not rise to oppose Halifax, but it was he who was the leader of this anti-assembly party in court.[10] In a matter of days James used Halifax's outburst to argue to Charles II that Halifax ought to be dismissed as an obvious enemy of the monarchy.[11] Indeed, James's anti-assembly party carried the day in the privy council session of 1684, and early the next year Charles II signed a document abolishing all New England assemblies.

James II's explanation for this opposition to assemblies can be found in correspondence from the previous decade, in which as proprietor of the newly conquered colony of New York, he wrote to his colony's governor, a Sir Edmund Andros, commanding him not to allow the colonists any representation in government. James wrote that he suspected that "an assembly would be of dangerous consequence, nothing being more known than the aptness of such bodies to assume privileges destructive to the peace of the Government."[12] There was, he wrote "no need for them" as long as the "Governor & Council govern according to English laws established."[13]

James was not alone in his opinion, and when he shortly became king in 1685, he would ensure that it was turned into reality, appointing like-minded associates like the Earl of Sunderland to the Lords of Trade and purging it of men

[10] Richard R. Johnson, Adjustment to Empire: The New England Colonies, 1675-1715, (New Brunswick, New Jersey: Rutgers University Press, 1981), 54-55 and W. A. Speck, James II, (London: Longman, 2002), 130.

[11] Johnson, *Adjustment to Empire*, 54-55.

[12] Barnes, *The Dominion of New England: A Study in Colonial Policy*, 40.

[13] Ibid.

like the Marquess of Halifax.[14] The politics of James and his party were forged by their experience of revolution and rebellion in two nations. James, like his brother Charles and many royalists, fled England during the period of republican rule for France. But while the future Charles II and his court held themselves aloof from French politics, James became deeply involved in suppressing the Fronde, a massive revolt against Cardinal Mazarin and Anne of Austria's regency of the young Louis XIV.[15] James associated with the regency court and openly enlisted in the French army, declaring that the Frondeurs fought from the same traitorous motives as the English Parliamentarians.[16] From his close acquaintance with supporters of the regency (he may have even befriended the young King Louis), James adopted the philosophy best articulated by Cardinal Mazarin, that autonomous assemblies (whether elected by the people or self-constituted by nobles) were inherently treasonous and should be allowed to exist in the body politic.[17]

As a result of temperament as well as experience, James was politically "incapable of differentiating between varying degrees of opposition" and saw "all opposition" as "subversive and republican."[18] James believed assemblies were inherently enemies to monarchs simply because they were capable of voting against him, making them, in James's "black and white" conception of the world

[14] Bieber, "The Lords of Trade & Plantations," 34.

[15] James B. Collins, *The State in Early Modern France*, (Cambridge: Cambridge University Press, 1995), 65-78.

[16] Philip A. Knachel, *England and the Fronde; the Impact of the English Civil War and Revolution on France*, (Ithaca, New York: Published for the Folger Shakespeare Library by Cornell University Press, 1967), 230.

[17] Knachel, *England and the Fronde*, 79.

[18] John Miller, *James II*, (New Haven, Conn.: Yale University Press, 2000), 12.

his enemies.[19] In James's words, "he that is not with me is against me."[20] As an important courtier and the as king, James II would employ this conception of government wherever he was able.

In 1686, the plans of James II became reality when Edmund Andros, first and only governor general of the Dominion of New England, arrived in Boston and received the surrender of an interim local government. Andros travelled to the other former colonies, confiscating charters, seals and any other symbols of independent political identity. Town meetings, jury trials and all other democratic elements of colonial politics were also extinguished. Andros quickly earned the hatred of virtually the entire population of colonists for his high-handed authoritarianism and a lasting reputation for mustache-twirling villainy in local folklore.[21] The Dominion—backed by the first English redcoats on North American soil and the potential might of the English state—lasted for two years but was violently overthrown by colonists in 1688 when James II lost his throne to William and Mary in the "Glorious Revolution."

Historians have generally argued that the wrong side won the debate of 1684, and judged the Marquess of Halifax's arguments in favor of colonial assemblies superior to those of James II against them. Richard Johnson argues in *Accommodation to Empire* that the Dominion of New England was badly designed in ignorance of existing realities, an eccentricity he contrasts with the more "hardheaded and practical" approach taken from 1675-1685, the period

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[19] John Miller, *James II*, (New Haven, Conn.: Yale University Press, 2000), 12.

[20] Ibid, 12.

[21] See the Victorian popular history book *Our Country A Household History* for the story of Connecticut's Charter Oak (pp. 449) and other pieces of Dominion folklore.

during which support for colonial assemblies was dominant in the Lords of Trade.[22] Johnson argues that Halifax's supporters correctly recognized the "difficulties likely to attend the maintenance and funding of a government lacking the hallowed and convenient procedures for popular participation and consent" which James II failed to notice.[23] Viola Barnes in *The Dominion of New England: a Study in Colonial Policy*, characterizes the lack of an assembly as the Achilles heel of the Dominion which doomed it to an early end. In his study of the Lords of Trade and Plantations, Ralph Paul Bieber characterizes the Dominion period as a low point for the Lords of Trade, and James II's appointees as a group of arbitrary and incompetent political hacks.[24] One of James's biographers, John Callow, is equally negative, calling James's theory of colonial government "old-fashioned, autocratic and ultimately spectacularly unsuccessful" and generally characterizing James as an ignorant amateur imperialist.[25]

While some historians do credit the consolidation and centralization aspects of the Dominion as impressive, almost none judge his abolition of assemblies a wise piece of statesmanship. The Anglo-American future, according to these historians, belonged to the defenders of assemblies, to an eighteenth century world of representative institutions and limited monarchs, not to despots and rigid mercantilism but to free trade, liberalism and revolution. One can hear clearly the voice of the dark past one side and the bright future on the other.

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[22] Johnson, *Adjustment to Empire*, 64.

[23] Ibid.

[24] Ralph Paul Bieber, "The Lords of Trade & Plantations," 34.

[25] John Callow, *The Making of King James II: The Formative Years of a Fallen King*, (Stroud, Gloucestershire: Sutton, 2000), 282.

However, this paper will argue, as some historians have (somewhat obliquely) realized, that James Stuart was in fact infinitely closer to the objective truth of the imperial relationship than the Marquess of Halifax. This is because, however much Halifax and other liberal-minded, Whiggish English imperialists praised constitutional monarchs, the rights of Englishmen and the common interest of empire, such beatitudes concealed a fundamental and unbridgeable contradiction between the right of colonists to consent to or reject all taxation through their assemblies and the supremacy of English law over all colonists. James's belief that lawmaking colonial assemblies were obstacles to English law that there was simply not enough room in the empire for both such assemblies and the powers of the crown was in fact an entirely accurate summary of the constitutional crisis which would drive the English and their colonists into open warfare, first in 1688 and then in 1775, if we but Parliament sub for the Crown.

The struggle over the Dominion anticipated the American Revolution in that it showed that if colonial assemblies refused to accept English laws and the English government wished to enforce them anyway, the English government would be driven to abandon its liberal adherence to the rights of Englishmen, constitutional monarchy and the common interests of the empire and to annihilate the colonial right to an assembly. Such autocracy would in turn drive the colonists—however closely they held Englishness, empire and the king—to define the right to be taxed only by one's elected representatives as an inherent individual right, in defense of which an individual might legitimately oppose his government by force.

Chapter I: From "Commonwealth" to "His Majesty's Colony"

While they had believed the existence of both could be reconciled, during the reign of Charles II, imperial administrators found that they could not implement imperial commercial policies on defiant colonists as long as those colonists retained assemblies with control over taxation.

The English administrators in the Lords of Trade believed that they could secure colonial obedience to their mercantile and proprietary goals without annihilating the right of all Englishmen, including colonists, to consent or reject to all taxation and legislation by means of elected assemblies. The Lords of Trade believed that the correct means of securing obedience from Massachusetts was to transform that colony from a republican commonwealth masquerading as a private trading company into a proper royal colony. Within this scheme, colonial assemblies were not to be destroyed, but rather brought back into a proper relation of loyal subordination towards the English government and their representatives.

When he arrived in Boston in 1675 as agent to the Lords of Trade, Edward Randolph found that Massachusetts conducted its affairs as an independent nation, rejecting the proprietary claims of Mason and Gorges and trading freely with other nations in open defiance of the Navigation Acts of 1673.[26] When, over the course of the next few years, Randolph and the Lords of Trade attempted to cajole, bully and persuade the Massachusetts government to enforce the acts and accept proprietary claims, they were met with evasion and refusal.

[26] Answer of Edward Randolph to several heads of inquiry concerning the present state of New England, Oct 12, 1676, CO 1/37, No. 70 *also* CO 5/903, pp. 114-161 *and* CO 391/1, 250.

The Massachusetts assembly's rejection of imperial laws did not lead Randolph to the belief that these laws could only be implemented by denying Massachusetts colonists the right to an assembly. Rather, Randolph came to the belief that the General Court did not actually represent New England's political will, but only a small, seditious "faction." Through the "cunning pretences" of this group of fanatical republicans, "whole herds of the meaner inhabitants are frighted from their obedience to his Majesty into the toils of their unlimited authority."[27] Randolph believed that the vast majority of the population, including all classes and professions—"the very magistracy, clergy, army, merchants, and commoners,"—was generally loyal, and should the crown release them from the domination of the "faction," this silent majority would gratefully submit to the crown's authority.[28]

Randolph's belief that a relatively small group of Puritans ran the government of Massachusetts exclusively was none too far from the mark. In Massachusetts, while all positions were elected and had term limits, suffrage was limited to active church members in good standing, roughly one fifth of the male population.[29] Moreover, Puritan magistrates held substantial powers even independent of elected offices.[30] Randolph claimed that large majorities in New Hampshire and Maine complained of the "oppression and usurpation of the

[27] Edward Randolph to Secretary Coventry, Boston, June 17, 1676, CO 1/37, No. 7.

[28] Ibid.

[29] Herbert L. Osgood, *The American Colonies in the Seventeenth Century*, (Gloucester, Mass.: Peter Smith, 1957), 167.

[30] Osgood, *The American Colonies*, Volume I, 212-213.

Boston magistrates" due to their limited suffrage and that thus they desired to be placed under Mason and Gorges.[31]

Randolph argued that only reforming the constitution of Massachusetts to resemble those of ordinary, obedient colonies could break the power of "the faction" and bring Massachusetts to loyalty. The Lords of Trade largely accepted Randolph's view, and from 1675 to 1685, gradually attempted to effect this transformation.

First, the assembly would need to be purged of the religious qualifications that kept it in the hands of a small party of theocrats. If suffrage was made open to all propertied men, Randolph not unreasonably argued, the small group of Puritan magistrates would lose their dominance and the bulk of the population would be able to express its views.

Second, the crown needed to regain control of the executive and judicial branches of colonial government, namely the Governor and his Council (which in most colonies served as an upper house, supreme court and governor's cabinet) and strengthen them. The governor needed to be made a royal appointee rather than an elected official and the council, militia and local courts staffed at his pleasure.[32] Multiple "royal prerogatives" which had been "entrenched on" needed to be regained.[33] For one, the king needed to be made the subject of oaths of allegiance rather than the assembly, a change which would immediately break

[31] Report of Edward Randolph to the King, (Sept 20), 1676, CO 1/37, Nos. 54, 55 *also* CO 5/903, 162-173.

[32] Edward Randolph to the Lords of Trade and Plantations (Feb 22), 1679, CO 1/43, No. 21.

[33] Report of Edward Randolph to Lords of Trade and Plantations concerning the Massachusetts Government, April 18, 1678, CO 1/42, No. 58; *and* CO 5/903, 267-275.

the back of the "faction." If thus, "all inhabitants taking the oath of allegiance (as directed in the King's letters of April last) be admitted freemen, and all that refuse the oath be *ipso facto* made uncapable of voting or acting as freemen," any diehard defenders of the old system would not only lose their monopoly on suffrage, but lose their own suffrage.[34] Next, the Lords of Trade ought to make the governor a royally appointed rather than elected official. The militia and council ought to be brought under the now royal governor's control and staffed at his pleasure. When the Lords of Trade prepared a new commission for the colony's government in the 1680s they planned to implement Randolph's colonial limited monarchy: a royally appointed governor and council balanced by an elected assembly made loyal by broad suffrage requirements that broke the republican faction's control. New England's independent mint, which produced coins stamped with 1652 and "Commonwealth of Massachusetts," would need to be dissolved or brought under royal control. [35]

Randolph believed that if these changes were made, an elected assembly with the right to consent to taxation and legislation could be left in place. Such an assembly—staffed by ordinary, loyal Englishmen and placed in its proper balance with the royal branches of government—would offer no seditious resistance to the reasonable edicts of the Lords of Trade.

The colonial constitution thus painted by Randolph and the Lords of Trade conformed to the collective understanding among English politicians as to the

[34] Edward Randolph to the Lords of Trade and Plantations, (Feb 22), 1679, CO 1/43, No. 21.

[35] Answer of Edward Randolph to several heads of inquiry concerning the present state of New England, Oct 12, 1676, CO 1/37, No. 70 *also* CO 5/903, pp. 114-161 *and* CO 391/1, 250.

proper relationship between colonies and the English motherland. Colonists, ought to retain certain self-government due to the inconveniences of distance and their own legal rights as Englishmen. However, colonies ought to be useful to the greater English empire, acting as sources of useful exotic bulk goods and markets for English manufactures.

The paramount goals of Restoration-era English intervention in the New England were economic, namely, to transform these polities into sources of revenue, markets producing useful goods and proprietary fiefdoms for favored courtiers. Cultural, religious and military goals were inherently secondary; about sanding away colonial institutions that inhibited economic utility and protecting one's investment. While arguments on the basis of justice, rights and law were certainly put forwards by both schools of imperialists, what lay at the heart of their difference was a different understanding of the relationship of assemblies to the economic value of colonies to the mother country (and to their own personal profits).

English colonization theory prescribed that colonies should serve the economic interests of the mother country. Colonial markets ought to consume English manufactures and produce bulk goods useful to England. Colonies were also seen as sources of personal profit. It was not the Crown, but private proprietary companies and individuals that sponsored most colonial voyages, and these expected both immediate returns on their investment and to act as permanent rulers of quasi-feudal palatinates.[36] In this case, the driving factor

[36] David S. Lovejoy, *The Glorious Revolution in America*, (New York: Harper & Row, 1972), 69.

behind the Lords of Trade's investigations of New England politics was the relentless lobbying campaign of Fernando Gorges and Robert Tuftson Mason, heirs of proprietary claims to Maine & New Hampshire respectively, both territories long since annexed and populated by Massachusetts.[37] Mason & Gorges, grandsons of the original proprietors, hoped to become proprietary lords on the model of Maryland's Lord Baltimore, collecting perpetual quitrents in person or in absentia. Mason in particular held great influence on the Lords of Trade. Edward Randolph, the Lords' agent in Boston and their paramount source of information, was in fact Mason's cousin and under his patronage.[38]

That Randolph believed that opposition to English mercantile restrictions and proprietary claims based upon fundamental economic differences of interest between England and her colonies is best shown by Randolph's long-held belief that, whatever coercive steps might be necessary to break the grip of the Puritan magistrates, once it was broken and Massachusetts reconstituted according to his plan, the new government could be staffed by local people rather than English appointees.

In Randolph's mind, Massachusetts was not a conquered territory to be occupied, but a loyal province held in the same republican bondage England had suffered prior to the Restoration. Randolph showed this conception most fully in his 1685 report to the Lords of Trade of men to be chosen for the provisional Massachusetts government. Besides Robert Mason, now ensconced in

[37] Johnson, *Adjustment to Empire*, 28.

[38] Johnson, *Adjustment to Empire*, 28. Also see Orla Alamon Towns, *Edward Randolph and his Relation to the Colony of Massachusetts*, a 1917 Master's Thesis from the University of Illinois for a full description of the degree to which Randolph operated as Mason's agent under his patronage.

proprietary New Hampshire, every appointee for the Council was a local, most of his "loyal" party but some from the old "faction" to maintain their allegiance.[39] While Randolph believed the governor should eventually be some prominent Englishman to lend grandeur to the office, he had no doubt that Robert Dudley, a local, would loyally fill the position.[40] Randolph assumed an assembly of would be part of the new government and included the number of seats each town ought to hold based on their population.[41]

Randolph and the Lords of Trade believed their plan would reconcile the rights of Englishmen as described by Halifax with the economic good of the court and empire, satisfying both Robert Mason and the merchants of Boston, the common people of Massachusetts and the desires of the Lords of Trade for patronage and fees. The interests of Englishmen at home and abroad were held to be inherently inseparable, a fact concealed only by republican distortions.

[39] Edward Randolph to Lords of Trade and Plantations, Sept 2, 1685, CO 1/58, Nos. 49-49 I.-III.
[40] Ibid
[41] Ibid

Chapter II: Failure

How successful were Randolph and the Lords of Trade's attempts to thus bring Massachusetts to heel without removing their representative assemblies in accordance with the theory of limited monarchy? In a sense, we cannot know, because James's ascension in imperial affairs by 1684 brought an end to any talk of colonial assemblies and threw Randolph's plans into disarray. However, historians such have Richard Johnson have largely supported Randolph's argument that balanced colonial constitutions could reconcile colonists and imperialists and produce an amiable, unified empire, arguing that Randolph anticipated the amicable post-Dominion future of colonial constitutions balanced between royal governors and elected assemblies.

After 1689 and into the eighteenth century, Johnson argues, the English and Americans compromised, "adjusting" to each others' demands and producing a creative synthesis based upon official and commercial links, trade, political norms and a shared English identity.[42] Owen Stanwood reaches similar conclusions, adding shared Protestant and racial identities to the mix.[43] The conflict of the Dominion period between English and colonists is understood to be due to the peculiar circumstances of Puritan intransigence and James's clumsy absolutism, and once both were abandoned and both sides compromised by building a balanced colonial constitution.[44]

However, Johnson ignores the fact that this amicable fulfillment of the ideals

[42] Johnson, *Adjustment to Empire*, 420.

[43] Owen Stanwood, *The Empire Reformed: English America in the Age of the Glorious Revolution*, (Philadelphia: University of Pennsylvania Press, 2011).

[44] Johnson, *Adjustment to Empire*, 64.

of Halifax and Randolph was only possible because, after 1689, English administrators abandoned their economic demands upon the colonies, never to revive them until the 1760s. The colonists indeed became more closely linked to England by trade, politics and travel, but such connections were merely used to evade the obnoxious mercantile restrictions, taxes and proprietary claims that had caused the conflict in the first place. A lasting settlement was achieved after 1689 only because England abandoned strict enforcement of mercantile restriction and allowed the colonists to continue to conduct their affairs independently. The post-Dominion unity was not caused by the mutual fulfillment of English and American economic policies, but by the Americans' determination to ignore English law more tactfully and England's willingness to accept the letter of the law.

However if the English government actually attempted to enforce imperial mercantile policy in the colonies, as they only did in the 1680s and 1760s, the shared nexus of Englishness, free-mindedness, limited monarchism and loyalty to the crown that Halifax, Randolph and some historians had such faith in entirely failed to return delegates to colonial assemblies supportive of Navigation Acts, proprietary rights or royal taxation. This is because Randolph's notion that only some small, intransigent Puritan faction opposed such measures was sorely mistaken. For while the Puritan regime of 1675 was indeed electorally unrepresentative, their rejection of English economic restrictions and proprietary claims was entirely representative of the views of the entire population of New England. This is because the economic interests of virtually every New

Englander lay in continued disobedience to the Navigation Acts and they had nothing to gain and much to lose from the financial desires of English proprietors, political appointees and customs officials.

A careful look at the circumstance of late seventeenth century New England reveals that no New England government that was allowed an assembly, or indeed even staffed by local men, could be relied upon to obey the Navigation Acts or support English proprietary claims. The problem was, Randolph and other observers mistakenly took a certain degree of support for the "royalization" of government, particularly the extension of suffrage, as support for English commercial restrictions, fees and proprietary claims.

The 1673 Navigation Acts, which mandated that colonists trade solely with England or pay hefty fees directly contradicted New England's economic interest in free trade.[45] New England's prosperity stemmed primarily from lucrative commerce with the British West Indies: "refuse fish, lumber, horses, provisions and European goods illegally brought to the islands were exchanged for sugar, molasses, cotton, rum, ginger, logwood, and Braziletto wood."[46] This most important market to New England was also the one English merchants most wanted to see New England deprived of, as rule-breaking Americans could sell their goods cheaper in the Caribbean than law-abiding English merchants.[47] New England trade with the British Caribbean quite naturally extended into almost as

[45] Barnes, *The Dominion of New England*, 11-12.
[46] Ibid, 140.
[47] Ibid, 140-141.

profitable trade with the French West Indies.[48] Massachusetts merchants used the wealth gained from thus feeding the engines of plantation slavery to trade with other colonies, getting furs, fish, lumber and whale oil from Newfoundland and with other New England colonies and New York for food.[49] Indeed, industrious but barren Massachusetts was dependent upon such commercial exchanges partly for wealth but partly simply to avoid starvation.[50] Beyond these foundational trade network, New England merchants extended their commerce across the Atlantic World, to the Southern and Middle Colonies and also to Spanish, Portuguese and Dutch colonies and even directly to Europe and Africa. No foreseeable expansion of trade with England could compensate New Englanders for the total severance of all these illegal commercial networks.

Randolph had inadvertently admitted as much himself in his descriptions of the sheer scope of New England's free trading,

> Commodities, imports, trade, & c. Commodities consist chiefly of naval stores, cattle, and provisions, which are exported to Virginia, Jamaica, Maryland, Barbadoes, Nevis, St. Christopher's Antigua, & c. (to which are sent "houses ready framed"), Spain, Portugal, the Straits and England; tobacco, sugar, indigo, cotton-wool, ginger, logwood, fustic, cocoa, and rum are imported and again transported. They trade with most parts of Europe from which they directly import all kinds of merchandise, so that little is left for English merchants to import; some ships have been sent to Guinea, Madagascar, & c., and some to Scanderoon; there are built in the Colony 730 ships varying from 6 to 250 tons, there are 30 master shipbuilders; no notice is taken of the Navigation or Plantation Acts.[51]

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[48] Barnes, *The Dominion of New England*, 140-141.

[49] Ibid, 137-144.

[50] Ibid, 137-138.

[51] Answer of Edward Randolph to several heads of inquiry concerning the present state of New England, Oct 12, 1676, CO 1/37, No. 70 *also* CO 5/903, pp. 114-161 *and* CO 391/1, 250.

The idea that New England would abandon such lucrative free trade policies, and that some shuffling of the parts of government would produce a set of rulers with no interest in them, was simply a fantasy. At no time before the Dominion were the Navigation Acts obeyed, and after the Dominion fell, they were openly flouted for the next century.

In 1701, some time after the Dominion's fall, an anonymous American (likely the Virginian Robert Beverley) weighed in on imperial policies towards New England. While he denied any support for viceroyal dictatorships, he criticized the arguments of English policymakers who believed robust New England popular assemblies and proper enforcement of the Navigation Acts could be reconciled.

> I would not be mistaken, as if I was an Enemy to Liberty, but since the Product of those *Northern* Proprieties is the same with that of *England*, (the Mother Kingdom) I would gladly be informed whether according to this Gentlemans own Principles, it is not more for the interest of England, that the Kingdom should appoint them Governours, who would take care that they duely observed the Acts of Trade; then that such Power and Dominion should be given them, as in time to make the grow prejudicial to the Interest of England, as most certainly they will, if some better care be not taken than hath been formerly.[52]

It is worth consideration that the anonymous author immediately falls into the same problem of reconciling colonial liberties to imperial law that he accuses the English government of. He fervently denies being an "enemy to liberty" throughout the pamphlet and rejects "government by one man" and other "new

[52] Anonymous, possibly, Robert Beverley, *An essay upon the government of the English plantations on the continent of America : together with some remarks upon the discourse on the plantation trade written by the author of the Essay on Ways and Means and published in the second part of his Discourses on the publick revenues and on the trade of England*, 21, Artemis Primary sources.

fangled Contrivances," but simultaneously advocates that royal governors be empowered to enforce the Navigation Acts, which necessarily would mean overriding the liberties of assemblies (which if they did not consist of the right to consent to economic measures, consisted of nothing at all).[53] The author's solution, the summoning of a council of experts to manage colonial affairs, sounds sensible enough, but fails to resolve the intrinsic paradox.[54]

Finding the source of resistance of the Massachusetts government to the Navigation Acts up to 1675 only in the machinations of a small elite of Puritan magistrates motivated by irrational stubbornness fails to give sufficient explanatory power to the economic struggle for New World trade that lay at the heart of the dispute between England and Massachusetts. The belief of Randolph and the Lords of Trade in the loyalty of a freely elected, properly balanced Massachusetts assembly rested upon the false presumption that there existed no such divergence of interests. In such a case, the laws of the England were doomed to conflict with the votes of the assembly, and even the elite opinion of the local council. Either New England obeyed the Navigation Acts, or it did not. If it did not, then amity shared imperial identities might prevail, but if New England was made to obey the acts, it could only be by overriding American assemblies.

The great majority of New Englanders were equally unenthusiastic about the proprietary claims of Mason & Gorges and those directly affected by them were livid. Assemblymen from Maine petitioned the crown to remain under the

[53] Anonymous, *An essay*, 21.
[54] Ibid*,* 22.

jurisdiction of Massachusetts and successfully bought out Fernando Gorges's claim in 1680.[55] Robert Mason's lobbying campaign in the Lords of Trade, which successfully managed to squash similar petitions from the four major town of New Hampshire, proved more persistent and in 1683, the Lords removed New Hampshire from the Massachusetts General Court's jurisdiction, declaring it a royal province in which Mason would nevertheless retain his rights to quitrents and certain special political powers.[56] A royal governor, Edward Cranfield (who would turn out to be singularly interested in filling his own pockets, even for a seventeenth century administrator), was sent to govern with a council and an assembly of locals.[57] According to Randolph's theory, the residents of New Hampshire, grateful to be relieved of the Cromwellite despotism of Boston and able to express and grievances respectfully through their assembly, would be loyal subjects and accept the justice of Mason's proprietary rights.

That losing their self-government, paying quitrents to a stranger brandishing three-generation-old deeds and being saddled with a prodigiously venal governor did not enamor the population of New Hampshire is shown by their instant and open hostility to Cranfield's reign.[58] To the inhabitants of New Hampshire, contrary to Randolph's dreams of a silent majority, the demand of Robert Mason to extract a fortune from them by perpetual quitrents and govern them forever

[55] Petition of the General Assembly of Maine to the King, Oct, 1680, CO 1/46, No. 28.
[56] Lovejoy, *The Glorious Revolution in America,* 150.
[57] Ibid*,* 150-151.
[58] Ibid*,* 151.

was treated as a grotesque notion both by the authorities in Boston and the general population in New Hampshire.[59]

Virtually nobody in New England supported mercantile restrictions and proprietary fiefdoms. Randolph and the Lords failed to recognize that those who might seek to unseat the Puritan magistracy nevertheless had no interest whatsoever in the basic aims of English intervention. Duly elected assemblies—even if restricted merely to their proper role of assenting or rejecting legislation and taxation rather than running the government—did not make imposing imperial edicts any easier, but on the contrary, directly impeded successful enforcement at every turn.

[59] Lovejoy, *The Glorious Revolution in America,* 153.

Chapter III: King James's "Real Empire in America"

James II's 1685 commission for the Dominion of New England, the first imperial policy document of his new reign, was an unambiguous declaration of the absolute supremacy of the powers of the Crown over the rights of colonists. In it, James proclaimed that, "the government of that Colony and Members thereof is now in Our hands."[60] New England and the other colonies eventually devoured by the Dominion were to be ruled by a single royal governor with the advice of a royally appointed council.[61] No mention of an assembly was included in the document, and all rights to legislate and tax were granted to the royal governor.[62]

By extinguishing colonial rights to consent to taxation and legislation by elected assemblies and governing directly in the name of the king, James II's new government replaced the contradictory Whiggery of the past ten years with an internally coherent autocracy. English and colonial observers no longer had to rationalize how the individual right of the colonists as Englishmen to control their own finances could be squared with the prerogative of the Lords of Trade over those same finances.

The new Massachusetts was no longer to be modeled on Virginia, but on the newly minted and royally governed New France of Louis XIV, a transformation James had already tested as proprietor of New York in the 1660s, during which Sir Edmund Andros had been his proprietary governor and as king,

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[60] Commission of James II for the Government of New England, 27 September 1685, Randolph Papers, Volume 4, 51 (reader 63).

[61] Ibid, 51.

[62] Ibid.

James believed he could pursue the same project through the same man on a grander scale.[63]

James II's scheme placed colonists in a logically coherent position: loyal submission to whatever English policymakers decided. As Edmund Andros would impoliticly state, English liberties no longer were to extend to the colonies. English colonists no longer were to be permitted the assembly-based loyal opposition or polite dissent that had proven in practice, to be capable of entirely undermining English policy. Colonists, as Andros supposedly told protesting New Hampshire residents, must choose whether to be "subjects or rebels."

By extinguishing colonial liberties in favor of imperial policy and backing paper with gunpowder, James II achieved what no English government had ever before achieved since Charles II's coronation or would ever achieve again in New England: proper enforcement of the Navigation Acts.[64] Andros's officers descended upon Boston and arrested any New England merchant who disobeyed them. Successful enforcement, unsurprisingly, led to a ruinous economic depression in Massachusetts, but, for a moment, competition with English merchants was stopped.[65]

While James II did not much care about Robert Mason's proprietary rights,

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[63] Several historians consider it quite likely if not strictly proveable that James II modeled his colonial policy on Louis XIV's royalization of New France. Few of James's direct opinions on empire have been preserved, and in a Restoration court environment in which talk of French precedent would have often been politically unwise, James and his advisors had little incentive to say such things aloud. However, the sheer similarity of James's colonial governance to contemporary French and even Spanish developments strongly suggests imitation. See Viola Barnes and Owen Stanwood for what links can be made, John Callow for a skeptical view on such connections and Peter N. Moogk, *La Nouvelle France, The Making of French-Canada*, Chapter 3 for French imperial policy itself.

[64] Barnes, *The Dominion of New England*, 169.

[65] Ibid, 169-170.

he was determined that colonists would pay for the new royal government themselves. Edmund Andros successfully raised poll taxes, taxes on animals and duties on wine and other goods despite colonial outrage, decisively suppressing open rebellions in the name of the Magna Carta and the right of Englishmen not to be taxed without their consent.[66] Andros was also commissioned to raise money by means of quitrents, treating the colonists as his immediate tenurial subjects.[67] Andros also threw land tenure into doubt, charging colonists to have them legally confirmed.[68]

Andros's revenue policies, like his mercantile policies, were certainly generally ruinous for colonists and brought his government into open contempt, but they were successfully implemented despite such resistance. Andros's forceful actions and retinue of professional soldiers certainly overawed colonists, but what held them in check the most was the knowledge that Andros held the complete confidence of the king and the full might of England at his back.

The Dominion of New England was indeed overthrown by enraged colonists, but only when Andros found himself alone on the continent after James II's fall. The fall of the Dominion cannot be pronounced as inevitable when it required as extraordinary an opportunity as a Dutch invasion of England and the flight of a sitting king without giving battle to precipitate it. Until English upheaval left Andros vulnerable, James II's Dominion of New England was, contrary to the judgment of Richard Johnson, a resounding success, and successful not, as

[66] Barnes, *The Dominion of New England*, 86-93.
[67] Ibid, 176.
[68] Ibid, 177.

Viola Barnes would have it, *in spite of* a lack of representative institutions, but *for precisely that reason*.[69] Andros was able to secure Massachusetts' obedience to the economic policies that had eluded English imperialists since its founding and would continue to elude them until they sought to implement them again in the 1760s. The cost of this policy was the end of colonial liberties and the burning hatred of the entire colonial population.

[69] Johnson, *Adjustment to Empire*, 64 and Barnes, *The Dominion of New England*, 100.

Conclusion: The Rights of Englishmen and the Supremacy of English Legislation

Scholars often see the post-dominion moment as a time of rapprochement between England and America, a time when the inflexibility of Puritan republicans and Stuart absolutists gave way to political compromise. Indeed, both the English politicians who had welcomed William & Mary's victory over James II and the Americans who had overthrown the Dominion believed themselves to have engaged in a common vindication of limited monarchy theory over absolutism. The new colonial regime in Massachusetts and almost all other colonies would indeed be, much as Randolph had originally planned, a balance between a royal governor and a popular elective assembly. However, the apparent victory of limited monarchism, English liberties and common imperial destiny was a façade that masked the fact that through his abolition of assemblies, James II had revealed the fault line upon which England's first Atlantic Empire would crumble.

After the fall of the Dominion in 1689, a swathe of colonial pamphleteers attempted to justify their revolt. Many such writers kept away from constitutional inquiry, confining themselves to the (patently untrue) allegation that Andros had been engaged in a conspiracy with the French and Indians to betray New England to French rule and implement Catholicism, along with various accusations of misrule and personal vice. Such accusations relied upon traditional medieval justifications for overthrowing a ruler, namely the regime's tyranny, vice and conspiratorial plots.

John Palmer, one of the few American defenders of the Dominion, ably skewered many of these baseless claims, particularly demolishing the accusations of conspiracy and casting doubt on those towards corruption.[70] Palmer went beyond this to deny the existence of any inherent English rights, proclaiming that the English Crown had absolute supremacy over colonists and that any self-government they exercised was a privilege that might be withdrawn. The protections guaranteed by the Magna Charta to Englishmen applied only to Parliament and those on the mainland. Palmer declared that any attempt by colonists to assert such right—let alone defend them by force—was an act of rebellion the colonists must abandon "unless they are so vain to imagine themselves capable of waging War with the Crown of England, and all its Allies."[71]

A colonial pamphlet titled the *Revolution in New England Justified* directly responded to Palmer by asserting that the right of a colonist not to be taxed except by his own representatives was inherent, individual and inviolable. Any king who raised even "a penny of Money without an Assembly" violated the English constitution.[72] The allegiance of colonists to their king, the pamphlet argued, was conditional upon his not taxing them without their consent in the

[70] William Henry Whitmore, *The Andros Tracts being a Collection of Pamphlets and Official Papers Issued during the Period between the Overthrow of the Andros Government and the Establishment of the Second Charter of Massachusetts: With Notes and Memoirs of Sir Edmund Andros*, (Publications of the Prince Society; v. 5-7, Boston: Prince Society, 1868), 79.

[71] Ibid, 117.

[72] Ibid, 181.

form of representation in an elected assembly.[73] Should a king violate this right, he would lose his legitimacy and colonists would have the right to violently resist his officers.[74]

Both the inherent right of Englishmen to assemblies and the supremacy of the English Crown to the American colonists had been raised before. However, as Halifax had argued in 1684, going into the eighteenth century most Englishmen and colonists did not believe that there was any contradiction between these two points. What these pamphlets revealed was that the two points were, and had always been mutually contradictory. To justify the supremacy of English mercantile acts against colonial resistance, the inviolability of assemblies had to be nullified and to justify the inviolability of assemblies, the supremacy English legislation had to be nullified in turn.

While the authors of *The Revolution in New England Justified* rejected republicanism, professed loyalty to the new monarchs and certainly did not so much as conceive of independence from England or a non-English identity we can see that the struggle over colonial assemblies during the 1670s and 1680's had firmly laid the institutional and theoretical foundations of the American Revolution, which were not to be budged by a century of amity.

James II's pure autocracy had exposed for a brief moment the bankruptcy of the imperial constitution and that logically, if English law was to run in the American colonies, the elected assemblies must be overturned. An English government, failing to achieve its economic imperial policies due to the

[73] Whitmore, *The Andros Tracts*, 181.
[74] Ibid, 130.

resistance of colonial assemblies, had resorted to overriding and annihilating those bodies, and in the process, inspiring passionate hatred for high-handed English administrators among the colonial population, and eventually open revolt. As English bureaucrats resorted to a doctrine of English supremacy over colonial representative governments, colonists justified their right to an assembly upon a doctrine of inherent individual rights. We have but to substitute Parliament for the Crown and we will quickly see that James II's 1685 abolition of assemblies was not an anomalous footnote to history, but a sign of things to come.

While the Marquess of Halifax's heart was certainly in what we would today consider a better place than James II's, it was the James, for all his arrogance, who far more accurately grasped the nature of the relationship between colonists and empire: that there must be either an imperial or a colonial source of laws. Either England would have to allow the colonists to govern themselves in a state of salutary neglect (essentially a state of independence) or England would have to coerce the colonists into abject submission by brute force. In such a case, colonists in turn would have to choose to surrender their power or fight for it. Andros's supposed statement that colonists would ultimately have to choose between subjection and rebellion was not idle villainy but plain truth.

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The Right to Fortifications:
American Communities and the Politics of Harbor Defense: 1794-1812

I. Introduction

In April of 1806, in the midst of a debate of the House of Representatives on a bill to expand federal funding for coastal fortifications, Josiah Quincy (F-Mass.) rose to implore his fellow representatives to appreciate the importance fortresses held for his constituents. Quincy began a lengthy and eloquent speech with a simple plea,

> Men who have all that human nature holds dear—friends, fortunes, and families—concentrated in one single spot on the seacoast, and that spot exposed every moment to be plundered and desolated, will not highly relish or prize at an extreme value the wit or levity with which this House seems inclined to treat the dangers which threaten them, which are sources to them of great and just apprehensions.[1]

Those gentlemen who treated the issue as "sport" forgot, Quincy said, that, to the inhabitants of commercial towns, whether or not their harbor was fortified "is death."[2] Quincy concluded with an ominous warning. Should Congress continue to take hefty revenues from the seaports, Quincy cautioned, but fail to fund their fortifications, "it took no spirit of prophecy" to see that coastal citizens would eventually have no choice but to choose secession over union.[3]

Quincy's passionate rhetoric and dramatic threats should turn our attention to the great value fortifications had to the populations of East Coast commercial towns and the high priority assigned to fortifying cities by their political representatives in the first few decades of the American republic. Quincy's plea on behalf of his fellow townsmen, which is one among many made in this era, also encourages us to pause long enough

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1 Annals of Congress, 9th Cong., 1st sess., 1030.

2 Ibid, 1030.

3 Ibid, 1038, 1041-1042.

to consider the security situation from the perspective of seaport people before adjusting our lens to see the greater national whole.

The eastern coast of the United States was virtually unfortified at the end of the War of American Independence at a time when the international security situation was deteriorating by the day. Just as Britain's former colonies found the protection of the Royal Navy lifted, the great powers of Europe descended into a series of vicious global wars, further embroiling seas already swarming with pirates, privateers and various opportunists. While the United States struggled to remain neutral, American ships lacking naval protection and often lightly armed found themselves easy prey and soon enough, violence and robbery spread even to the watery thresholds of American harbors. During the American Revolution, many unfortified American cities had fallen to British forces and a few had been subjected to naval bombardment and burdensome military occupations. There was no reason to expect that should the tentacles of the French Revolutionary Wars reach across the Atlantic, American seaports would not suffer such fates again if left in their current state of defenselessness.

Motivated by these dangers, from 1789 to 1812 (the year in which Americans let themselves be drawn into the maelstrom), Americans erected fortifications around many of its large and small seaports. Some works were small, others were quite substantial. Federal funding for these public works projects occurred in two major bursts. From 1794 to 1800, Congress allocated $620,000 on a series of forts which became known as the "First System" and from 1808-1812, $3,000,000 on the so-called "Second System."[4] Although the First System designated at least 20 ports, and the Second System, 50,

[4] René Chartrand, Donato Spedaliere and Marcus Cowper, *Forts of the War of 1812* (Oxford: Osprey Publishing, 2012), 8.

much of the construction was concentrated on major ports, particularly Boston, Philadelphia, Baltimore and above all New York City.[5] Other ports that received new defenses included Portland, Maine; Portsmouth, New Hampshire; Salem, Marblehead and Gloucester, Massachusetts; Newport, Rhode Island; New London, Connecticut; Annapolis, Maryland; Norfolk and Alexandria, Virginia; Cape Fear and Bacon Island, North Carolina; Charleston and Georgetown, South Carolina; and Savannah and St. Mary's, Georgia.[6] This system was integral to the defense of American cities during the War of 1812 and many of the individual fortifications survive as historical sites to this day. Most are not particularly famous, but the successful defense of one, Fort McHenry (below)[7], the guardian of Baltimore, is the subject of our national anthem, and its "ramparts" are memorialized daily at sports games across the nation today.[8]

It is time to connect the fears to seaport safety hinted at above to the physical structures of earth, stone and iron built between 1794 and 1812. Fortresses had to be

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5 Chartrand, Spedaliere and Cowper, *Forts*, 8-9.

6 Ibid, 8. ASP, 61-62.

7 Fort McHenry, Baltimore, digital image, Visit Baltimore, accessed March 2016, http://baltimore.org/see-do/fort-mchenry.

8 For more information on fortification design and function, see Appendix: Fortress Design and Function.

designed, built, garrisoned and maintained, and all these things could be quite expensive. As Quincy's recognition of the fears faced by vulnerable coastal townspeople suggests, the legislative support for such funding was inspired and sustained by the concern of urban citizens for their lives and property.

This paper will aim to chart the actual political process by which fears and apprehensions were translated into the great armed edifices that stand sentinel outside American harbors to this day. Historians have discussed the basics of fortification funding and construction and sketched the congressional arguments for and against them. However, they have not yet investigated the important connections between federal, state, local and popular actors in this political process. Such an inquiry is necessary if we are to establish where the demand for fortifications originated and in what place the power to provide them was located. The evidence regarding fort construction, lobbying, print culture, economics and politics shows that the demand for fortifications originated at the grassroots level and was transmitted to the politicians through formal representation, petitions and lobbying and moreover that whenever possible locals simply got their hands dirty and built forts themselves.

II. Historiography

Understanding the connection between the early American republic's eastern cities and their fortifications is valuable first as a good example of the politics of the era: of strong localism, vigorous community associations, and persistent conflict between the different levels of a federated government. More broadly, a look at this subject connects such political phenomena to military and security issues, a connection generally made in a western rather than eastern context. Understanding that Eastern cities feared for their safety and took measures to protect themselves corrects a tendency to create an east-to-west geography of increasing insecurity, building instead a general portrait of a new polity grappling with an uncertain security situation on all fronts and striving to create new security institutions or perfect old organs in unique and new ways. Most important, studying seaports' relations to their forts argues in favor of a close connection between popular will and security measures, correcting a tendency to see security measures as foisted upon communities by higher authorities. It also addresses the problem with disconnecting community history from security history, a tendency unwise in a context of real and imagined modern urban fears of crime and class conflict but positively misguided in an early modern context in which cities remained, as in premodern times, fortified strongholds, in most of the world and most certainly on the East Coast of the Early American Republic.

I began this paper hoping to find what role fortifications played in the great Federalist-Republican debate over the size and character of the military, attempting to fit fortifications into one of the competing ideological frameworks of the period. In the Early Republic, many military technologies and systems were partly or entirely pursued out of

political considerations regarding the size, strength and character of government. The Democratic Republicans may have had some economic motives to support militias, privateers, gunboats and embargoes, but a primary concern was unquestionably their belief that such institutions would be less dangerous to liberty and representative government than more professional alternatives. On the other side, many Federalists, commercial interests aside, certainly believed that a professional army, navy and cadre of officers academically trained in military science was necessary to make the United States a respectable, honorable nation in the eyes of Europeans and to secure the government against internal challenges to its authority.

Harbor fortifications seem to have features that would make them attractive to either party: their inherent defensiveness would seem to render them useful to Republicans anxious to prevent foreign adventures, while their cost and sophistication would seem to make them attractive to Federalist supporters of a stronger, more professional military. Unfortunately, most scholars of the era's military debates who might fit coastal fortifications into their arguments about the politics of coastal defense and maritime warfare are more interested in strictly naval affairs. This is understandable —the tale of the first years of the U.S. Navy is a dramatic one, full of gallant actions and exotic schemes—but this focus nevertheless places fortifications in a decidedly subordinate role. These naval histories typically lack an entry for "fortifications" in their indexes.[9] These historians are generally divided as to where fortifications fall ideologically. For some, they are Jeffersonian, part of a quixotic plan for "passive coastal

[9] Marshall Smelser, *The Congress Founds the Navy, 1787-1798* (Notre Dame, Ind.: University of Notre Dame Press, 1959); Kenneth J. Hagan, *This People's Navy: The Making of American Sea Power* (New York: Free Press, 1991).

defense" aside gunboats and embargoes.[10] According to others, fortifications were generally desired by Federalists, the main difference lying in that Republicans favored cheap, temporary defenses and Federalists expensive, permanent ones.[11] What allows these somewhat contradictory views of the role of fixed defenses to persist is that fortifications are never primary to the historical arguments of these authors and are depicted as secondary or even tertiary to either the Federalists' or the Jeffersonians' respective pet projects.

We might expect the historians of American fortifications themselves to provide us an account of their politics during the first decades of the republic. However, in the only political history of American fortifications which covers the 1789-1812 period, Robert S. Browning's *Two if By Sea: The Development of American Coastal Policy*, while the major debates are at last sketched out, fortifications remain perched between political factions. According to Browning, while he ascribes a slight bias in their favor to Federalists and a slight bias against to Jeffersonians or Democratic Republicans, he generally denies support for fortifications in Congress fell on either partisan side, arguing that "by and large Congressmen and Senators seem to have voted on how they judged the issue, rather than on a party or regional basis."[12]

While there is some room for representatives watching out for their constituents, at least in the case of New York City, whose representatives "naturally" sought to protect their commercially valuable city, Browning's account of the 1783-1812 period is

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[10] Harold Sprout and Margaret Sprout, *The Rise of American Naval Power, 1776-1918* (Princeton: Princeton University Press, 1939), 58-72.

[11] C. L. Symonds, *Navalists and Antinavalists: The Naval Policy Debate in the United States, 1785-1827* (Newark: University of Delaware Press, 1980), 116.

[12] R. S. Browning, *Two if by Sea: The Development of American Coastal Defense Policy* (Westport, Conn.: Greenwood Press, 1983), 16.

dominated not by a conflict between parties or congressmen but between the infant American corps of military engineers and a "traditional mode of fortification." In Browning's account, American seaport communities of the Early Republic, deeply localist and paranoid of government tyranny, were strongly attached to a colonial tradition of insubstantial, temporary fortifications erected under popular oversight in times of crisis. As a consequence, throughout the early national period, like their colonial ancestors, the inhabitants of coastal American communities were terrified of large, permanently garrisoned masonry fortresses, and, believing them to be "refuges of tyranny," firmly opposed the efforts of professional engineers and the federal government to build stronger fortresses. The members of Congress who acted in accordance with the popular will were thus the opponents, not the supporters, of fortifications, their support of temporary popular fortifications an impediment to the construction of permanent ones capable of actually protecting the republic from European navies.

Those congressmen who favored the latter type of fortifications are understood to have done so based on their judgment, that is, as a result of their being persuaded by the plans of the federal government and the professional engineers. Browning, while the lone historian to take a truly political look at the fortifications of the period, is not alone in his belief in a traditional mode of fortifications.[13] If we synthesize Browning with the naval historians who touch on fortifications in their debates, we arrive at a roughly uniform portrait of the politics of fortification: congressional support for them being

[13] Reference can be found in Emanuel Raymond Lewis's *Seacoast Fortifications of the United States: an Introductory History* (Washington: Smithsonian Institution Press, 1970).

loosely nonpartisan, but limited by traditional American prejudices against permanent or extensive fortifications.

Much of this picture is true, at least on the surface. Historians' conclusion that support for fortifications was largely nonpartisan is generally quite accurate, as is the idea that there existed one group who supported permanent fortifications and one group who supported temporary ones. Browning and Lewis are also correct to identify that a traditional view of fortifications emphasizing their temporary and emergency character existed and was promulgated by many congressmen who voted in favor of such cheap and simple fortifications.

However, this view is incorrect in two important respects. First, its denies of the existence of a strong regional congressional bloc in favor of fortifications of the greatest extent and of the most durable materials made up of the representatives of American seaports. Second, it applies prejudices in favor of temporary fortifications only to the populations of seaport towns, who were in fact firm advocates of permanent fortifications, rather than to the representatives of the rural hinterland, who indeed held such cautious views.

In fact, in political arguments on fortifications, congressional and popular views on the subject can be broken up into several components. First, there existed a hard core of representatives affiliated by constituency, state allegiance and personal connections to the seaports, which advocated robust federal spending on extensive, permanent garrisoned fortifications. In the fourth through twelfth United States Congresses, where the most important legislation on harbor defenses was brought to the floor and debated, some of this coalition's most vocal members included Williams

Vans Murray (F-Md.); Theodore Sedgwick, (F-Mass.), William Lyman, (DR-Mass.), William L. Smith (F-S.C.), (Edward Livingston (DR-N.Y.), John Swanwick, (DR-Pa.) John Williams (DR-N.Y.), Jonathan Havens (DR-N.Y.) and Josiah Quincy (F-Mass.), to name some of the loudest in the major debates. This faction, which was made up rather indiscriminately of members of both the Federalist and Democratic Republican parties from 1794-1812, stated directly in their speeches that they specifically represented commercial cities and their way of life, as opposed to the newly settled West and the old South. Each frequently brought up the great ports of their respective states in speeches and legislation.

The rest of the congressmen, who fell into the category of representatives of states which, whether coastal or rural, lacked major seaports and whose opinions on fortifications varied wildly. If anyone can be said to have held the “traditional” prejudice against strong fortifications, it was many members of this group, but they differed in degree from those who at least supported cheap and temporary emergency fortifications and those who opposed *all* federal funding of seacoast defenses. Members of this group fell into a variety of categories and their remedies often shifted, and indeed many voted on opinion and judgment as much as regional or partisan loyalty. What distinguished this group from the fortifications advocates is that they lacked strong connections to seaport inhabitants who aggressively pushed for harbor defenses. The basic issue is that non-seaport representatives would generally support smaller allocations for less permanent fortifications but oppose grander schemes.[14]

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[14] This paper examines connections between representatives and their constituents but only offers preliminary research to prove the existence of these blocs. While the research I did do into voting records, debates and districts supported my hypothesis, more research is needed, particularly into congressional personalities, technical knowledge and procedures.

The views of Rep. Albert Gallatin (DR-Pa.), a major Jeffersonian leader, illustrate the perspective of non-seaport representatives best. Gallatin voted in favor of $75,000 appropriation towards harbor fortifications in June, 1797, (which passed 48 to 38 in the House) but opposed larger amounts. Gallatin argued that a "general plan of fortifications" was "just and proper" but that it ought only to be a "temporary provision against danger."[15] Gallatin hoped that "no more should be appropriated than was absolutely necessary" and argued for closely timing the level of appropriations to the tenor of European conflict, rather than simply expending a great sum on defense as a precaution regardless, as seaport representatives sought to do.[16] Gallatin was firmly in favor of states ceding the land the new forts occupied to the federal government (thus maintaining congressional oversight over scope and cost.[17] Representatives like Gallatin often claimed that they judged fortifications to be unnecessary and ineffective based on personal judgment, but they were only free to do so because they overwhelmingly lacked connections to seaports and the interests of their constituents were in no way tied to them.[18] In their positive dislike for permanence, interest in controlling costs and belief that fortifications should be for emergency use only, many non-seaport representatives certainly fit Browning's definition of "traditionalists."

Historians have not recognized the hard core of support for permanent fortifications because they have lumped all supporters of *all* fortification bills together, including with seaport representatives the more sympathetic non-seaport (mostly rural)

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15 Annals of Congress, 5th Congress, June 1797, 315-6.

16 Ibid, 322.

17 Ibid, 315-6.

18 As mentioned, this paper mostly limits itself to delineating the connections between seaports and their representatives rather than analyzing the entire political situation as a whole. In the future I would like to address this limitation with a complete look at the voting records and districts of opponents and lukewarm supporters as well as strong supporters.

representatives hinted at above and concluding that *all supporters* uniformly favored temporary fortifications. However, support for permanence lay with a hard core of seaport representatives who kept the fortification issue alive between crises capable of motivating larger coalitions in favor of greater spending, and led such coalitions during such opportunities. The seaport representatives in the House and their state level counterparts have not yet been connected to substantial grassroots lobbying and to the continuance of traditional popular participation in fortification construction. While seaport representatives might appeal to ideology, notions of general national defense and the financial worth of cities to appeal to the rest of the nation, the core of their support was provided not by ideological fidelity but by connections to their constituents and their interests.

Indeed, what most strongly demonstrates the conclusion that support for fortifications was connected to popular demand for security rather than some ideological doctrine is the fact that early republican seaport citizens used widely variable political avenues to get what they wanted, each with multiple implications for government strength and centralization. In Congress, they supported a stronger executive and federal programs for fortifications, but in state legislatures, when they believed the federal funding was inadequate, fortification advocates pursued state-funded, state-owned fortifications and justified their actions with states rights doctrines and threats of secession on the floor of congress. Meanwhile, citizens of various means turned to direct democracy, volunteering to fortify with their own hands, shovels and individual donations, whether this meant working on forts built by the federal government, by a

state or organized by grassroots assemblies.[19] The plethora of disparate political roads pursued by the advocates of fortifications makes it impossible to connect them to only a federally centralized, states rights or directly democratic political model or ideology. The use of decentralized or centralized rhetoric was always in service to the primary objective of protecting individual communities from danger.

Historians have not characterized seaport communities as I have, as vanguards of fortification support, but as I have mentioned, instead depicted seaports as part of a "traditional" anti-permanence ideology. The belief that conflict between modernizing engineers and traditionalist communities characterized the 1794-1812 period is based on focusing on the perspective of engineers rather than communities. In general, many fortifications specialists are less interested in the 1794-1812 period, in which civilians meddled a great deal with fortifications, than the 1816-1861 period, in which military engineers wrested control of fortifications from the hands of legislators and communities while securing vastly larger budgets and more or less dictating national defense policy.[20] The 1816-1861 period is unapologetically known as the "Golden Age of Fortifications" by fortification historians engineers, an age when the link between the dreams of the American engineer and the design of his creations was supreme.[21] Nevertheless, I believe the haste to leave this time of messy civilian interventions has obscured the basic dynamics of the 1794-1812 period.

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[19] This paper would be enhanced by additional research on American seaports of this period, which would enrich its fairly undifferentiated portrayal of seaport inhabitants. My own surface reading on different seaport classes and groups suggests broad support but further study is needed, particularly into urban elite attitudes and personal connections with both legislators and engineers. This would also allow an examination of the role of slaves and temporary wage laborers in fort construction.

[20] For a comprehensive institutional history of engineers, garrisons and coastal artillery during the 1794-1812 period, see A.P. Wade (1977) *Artillerists and Engineers: The Beginnings of American Seacoast Fortifications, 1794-1815* (dissertation).

[21] David A. Clary, *Fortress America: The Corps of Engineers, Hampton Roads, and United States Coastal Defense.* Charlottesville: University Press of Virginia, 1990.

In fact, the evidence (such as newspapers rarely used by fortification historians) shows that the will and the resources of each American seaport were chief signifiers behind the character and strength of their respective defenses. The localism and strong political consciousness of the period led inhabitants to aggressively intervene in favor of precisely the fortifications that they wanted with whatever resources they possessed. In the case of small coastal towns with commercially minor harbors, small, temporary fortifications were indeed produced, but less because the inhabitants desired them in preference to larger, more permanent ones than because inhabitants lacked the resources in labor, capital or political connections to acquire anything bigger or better, even if they supportively volunteered what they had. Where inhabitants had more resources, they funneled them into stronger fortifications. Most noticeably, New York City, the richest and second most populous city in the United States deployed its large, skilled population, its extensive financial reserves and its stranglehold on the state legislature in Albany to aggressively pursue a system of fortifications that was impressive not only by American standards, but was indeed one the most impregnable in the entire world. (Castle Williams shortly after the War of 1812, next page)[22].

Separating the political means used to get fortifications and their various ideological baggage from the core source of support is important because it allows us to get to the core of how representative government functions, that is, to measure the means by which the desires of constituents are supposed to be translated into political

[22] "New York, From Governors Island," No. 20 of the Hudson River Port Folio, published by Henry I. Megarey, New York, 1825, digital image, Wikipedia Commons, accessed April 2016, https://commons.wikimedia.org/wiki/File:1825_Wall_and_Hill_View_of_New_York_City_from_the_Hudson_River_Port_Folio_-_Geographicus_-_NewYorkGovernorsIsland-hudsonriver-1825.jpg. The relationship between fortifications and maritime commercial cities during the period can be observed here in the fortification's position as dour guardian of a bustling harbor and prosperous-looking town.

action by their representatives and then judge the degree to which such mechanisms succeed in doing so and what factors complicate or prevent such a linkage. Seaport inhabitants petitioned, lobbied and elected federal and state representatives, and contributed to the work of fortification itself on an immediate popular level. The very single-mindedness of individual communities' desires to deploy their political, economic and personal resources to see fortifications built led to a wide and flexible array of strategies which produced a surprising amount of political friction, both in terms of debates within specific organs of government and between them. In Congress, seaport representatives fought to secure federal funding both for general systematic programs and their own specific projects, in many cases running into conflict not only with unenthusiastic inlanders but also with each other, bickering over the relatively small pool

of funding. State governments, unsatisfied with federal funding pushed for defenses independently, running into conflict with Congress over whether new forts were to be under state or federal jurisdiction. Even metropolitan governments and local popular assemblies could generate conflict with other sources of authority, as could citizens' decisions whether or not to volunteer for fortification construction labor. Running behind the chaotic surface produced by all of these efforts was a consistent and understandable desire for protection common to rich and poor alike, although each used potentially different strategies and resources to accomplish their shared objective.

III. Wealthy Cities, Deadly Seas

Josiah Quincy (F, Mass.) was only one of many congressmen who vigorously defended the interests of coastal commercial cities in the Early Republic, but he was certainly one of the most eloquent. According to Quincy, his own votes in favor of fortifications were motivated by the fears of his constituents of dangers to themselves, their political freedoms and their property, which they believed only fortification could protect them against. As Quincy rhetorically asked Congress in 1806,

> With respect to the general utility of fortifications, I ask by whom is it denied? by men interested in that species of defence? by the inhabitants of cities? by those, the necessity of whose situations has turned their attention to the nature of fortifications and their efficacy? No sir, these men solicit them. They are anxious for nothing so much. they tell you the safety of all they hold dear, their wives, their children, their fortunes and lives, are staked on your decision. They do not so much ask for fortifications as a favor; they claim them as a right; they demand them.[23]

Quincy shredded the argument that those who opposed fortifications did so based on individual judgment: only “western men” he said, ignorant of the dangers faced by coastal cities, would deny the utility of fortresses.[24] According to Quincy, the strength and universality of the demand for fortifications from the citizen of coastal cities had a direct relation to the size and scope of the dangers they faced.

The late eighteenth and early nineteenth centuries were a profitable and also dangerous period for the citizens of American commercial cities. Both the profit and the danger were strongly related to the French revolutionary war, the rigors of which rendered European belligerents desperate for goods neutral Americans were eager to provide while also opening the markets of distracted empires to American penetration.

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[23] Annals of Congress, 9th Cong., 1st sess., 1030.

[24] Ibid.

The ranks of American seamen swelled and the population of American cities and the economy of the entire nation boomed. However, the United States had no navy to speak of and American merchantmen were vulnerable to the armadas of cruisers crisscrossing war-torn European domestic and imperial waters and were incapable of avenging seizure in European ports.

For all the romance associated with the age of fighting sail then and now, eighteenth century maritime warfare was a thoroughly mercenary affair in which the lure of profit, whether labeled as plunder, booty or prize money, was a prime motivator to everyone onboard from captain to common sailor. Ashore, private shipowners and admiralty courts profited, while politicians and admirals more disinterestedly viewed blockades and commerce raiding as military strategies to bring enemy nations to their economic knees.

In the first decades of the republic, American merchant vessels found themselves seized, harassed and extorted by a wide range of pirates, privateers and warships everywhere they went. American ships were ruthlessly targeted by the Muslim corsair states of North Africa, who menaced not only the Mediterranean but the Atlantic after a vengeful Great Britain allowed them passage through the straits of Gibraltar. An opportunistic Napoleon allowed French vessels to plunder American ships at will regardless of his official diplomatic position towards the United States. Great Britain famously raided American merchantmen for manpower, recovering the numerous deserters fleeing the hellish conditions of the Royal Navy while also kidnapping numerous American citizens.[25]

[25] For portraits of the dangers to American commerce, see sources described in footnote 26.

The various responses of the United States to “outrages” at sea against American merchantmen have been well covered by historians.[26] The Federalist solution was the construction of a permanent and professional American navy, and indeed an American squadron of 44-gun heavy frigates was constructed and deployed by both Federalist and Democratic Republican administrations against the North Africans, French and British. The Democratic Republicans, rejecting further Federalist demands for a larger navy of 74-gun battleships, advocated two famously and spectacularly misguided methods to protect commerce: embargoes against offending nations, (which failed to produce results) and flotillas of shallow-draft one-or-two cannon gunboats to at least protect the coasting trade and harbors, (which were easily overmatched by frigates or battleships.)

However, the threats against merchantmen on the high seas and the various measures taken to protect them are only one half of the period’s story of maritime security and defense. Seaport inhabitants were afraid, not only of the dangers they faced abroad on their ships, but also those menacing them in their homes, taverns and churches ashore. While historians of the period’s fortifications have implicitly acknowledged such fears by describing the defenses built to guard cities, they have not interrogated the specific fears of urban citizens, an important factor if we are to consider the character of degree of community support for fortifications, just as it is important to understand the exact nature of piracy, privateering and impressment to understand the genesis of the United States Navy and the attempted Jeffersonian embargoes.

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[26] A discussion of these responses is integral to each of the naval histories listed. (Symonds, *Navalists;* Smelser, *The Congress Founds*; Hagan, *This People’s Navy*; Sprout and Sprout, *The Rise*.)

The inhabitants of American seaports feared that just as the defenselessness of their merchantmen exposed them to brigandage at sea, the defenselessness of their harbors would expose them to pillage and extortion at home. Urban citizens certainly feared that their vulnerability at the shoreline exposed them to foreign conquest and all the bodily hazards of war and the political humiliations of conquest. Above all, the threats to their homes, possessions, investments, bank accounts, warehouses and businesses, that is, to all the fruits accumulated by their foreign commerce and domestic industry, loomed large in the minds of townspeople. Specifically, urbanites worried that hostile armed ships might enter their harbors and destroy, seize or extort the great collection of fixed and moveable capital cities represented.

Congressman Josiah Quincy's 1806 speech on the importance of fortifications to seaport inhabitants provides a useful metaphor for the relation between maritime commerce and the accumulated wealth of cities and the way in which seaport inhabitants conceived of warships and fortifications to respectively defend each of them, in the words of one of the foremost representatives of maritime interests. In 1806, while preaching against "an offensive war with England" Rep. John Randolph, (DR-Va.) a leading Democratic-Republican leader of Southern planters, famously rejected any defense of American commerce at sea by comparing the United States to a great "mammoth, which ought to cleave to the land, and not wade out into the ocean to fight the shark."[27] The shark of course, was Great Britain, which by 1806 was sole naval superpower, having smashed the combined navies of France and Spain at the Battle of Trafalgar in 1805. Randolph rejected the legitimacy of maritime commerce and thus

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[27] Annals of Congress, April 1806, 1039-1040 (Quincy quoting Randolph; original source: John Randolph, "An Offensive War with England," 1806. http://www.bartleby.com/268/8/25.html)

denied that eastern seaports had any claims upon the union for the defense of such enterprises.

Josiah Quincy responded to Randolph by conceding that even if rural representatives refused to protect maritime commerce with federal warships, they were nevertheless obligated to fortify American seaports. Quincy took Randolph's metaphor and expanded it, arguing that while the Southern states might be a mammoth whose domain was the land, the active and industrious people of the seaports were best represented by a far-ranging fish. Quincy compared the United States to an alliance between the mammoth and cod in which the fish, "enterprising, active, and skillful, spreads himself over every ocean, and brings back the tribute of all climes to the feet of the mammoth," who benefitted by being able to "stretch his fat sides along his tobacco plantations, without paying the tithe of a hair… In such a case," Quincy argued, ought the

> …mammoth, because by mere beef and bone he outweighs the cod in the political scale, to refuse a portion of that revenue, which the industry of the cod annually produces, to defend him in his natural element; if not against the great leviathan of the deep, at least against the petty pikes which prowl the ocean; and if not, in the whole course of his adventurous progress, at least in his native bays and harbors, where his hopes and wealth are deposited, and where his species congregate?[28]

By this metaphor Quincy made two arguments, each of which he then laid out in less whimsical terms. First, he argued that the basic function of fortifications was to provide a haven for a commercial, maritime people and the products of their labor. Second, that providing such a haven to urban inhabitants and their wealth was important because urban industry and commerce directly benefitted the rest of the nation.

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[28] Annals of Congress, April, 1806, 1039.

These points led Quincy towards his main conclusion that the sheer amount of wealth concentrated in exposed American seacoast cities rendered them disproportionately important parts of the nation and thus entitled them to expensive protection in the form of permanent harbor fortifications. “Every class and collection of citizens” Quincy argued, “have a right to claim from Government that species of protection which their situation requires, in proportion to their exposure, and to the greatness of the stake in which society has in their safety.”[29]

Quincy invited the Westerners to consider not only the disproportionately high tax revenue drawn from cities, but also, “the great portion of the active and fixed capital of society which they contain.”[30] For example, Quincy argued, if all of the value contained in the import duties, export duties, banks, stocks, shipping and personal property in the city of New York alone were to be added up, it would comprise “one hundred millions of the active capital of the nation!”

Indeed, we can only appreciate fears of seaport inhabitants if we understand just how much wealth was currently lying unguarded within urban limits. During the period from 1794-1812, the United States had approximately a dozen seaports worthy of the name and a few ports of truly global economic importance. In 1800, cities were approximately 6% of the total U.S. population of 5,308,483.[31] In 1800, the New York City contained 60,515 people; Philadelphia, 41,220; Baltimore, 26,514; Boston, 24,937; and Charleston, 18,824.[32] Below this tier were almost twenty smaller seaports ranged along the coast from Maine to Georgia each containing between 4,000 and 10,000 inhabitants

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29 Annals of Congress, April, 1806, 1031-2.

30 Ibid.

31 “Population: 1790 to 1990,” United States Census Bureau, accessed April 11, 2016, https://www.census.gov/population/censusdata/table-4.pdf

32 Ibid.

in 1800.[33] Figures all these cities are taken midway along a population boom that would see the population of many of these cities double and even triple from 1790 to 1810.[34] The rapid population expansion of American cities was closely related to the boom in American maritime commerce.

In the first few decades of the United States, a vast proportion of the total national wealth was concentrated in the cities of the East Coast. Eastern cities such as Boston, New York, Philadelphia, Baltimore and a host of smaller towns were centers of production and trade. American merchantmen transported the goods of the American hinterland like lumber, tobacco and cotton in American ships to foreign lands and returned with the products of Europe, Asia and Africa. Such prosperity benefitted some more than others. The shipping industry employed thousands, although a common sailor or dockworker's life was a rough one. It also employed a variety of artisans to produce the specialized parts of eighteenth century ships. At the top, merchants and shipowners were kept wealthy, able to purchase handsome houses or retire to the country and style themselves as gentlemen. Over the course of the late eighteenth and early nineteenth century, traditional maritime industry was joined in seaport towns by industrial production of goods, creating an industrial working class and a white collar business class.

According to Josiah Quincy, to protect this mass of property and the industrious souls who produced it by "mere insurance office arithmetic" even "five millions" spent on fortification (a sum exponentially higher than the $150,000 currently debated on the

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[33] "Population: 1790 to 1990," United States Census Bureau.

[34] "Population of the 100 Largest Cities and Other Urban Places in the United States: 1790 to 1990," United States Census Bureau, accessed April 11, 2016, https://www.census.gov/population/www/documentation/twps0027/twps0027.html#urban

floor) would represent only five percent interest.[35] Quincy's object, he told Congress, was

> …to call gentlemen to consider what is the market worth of security, and that they may not deem the moneys they apply to these objects, as they seem willing to deem them, absolutely thrown away. This great mass of the national wealth, thus concentrated on the banks of one of the most exposed harbors in the world, is liable to the insult and depredation of the most despicable force."[36]

Quincy and his fellow seaport congressmen drew a direct connection between the wealth of the coastal cities and their need for protection. In 1807, Rep. Orchard Cook (DR-Mass.) succinctly summed up the connection between wealth and fortifications in the simplest terms.

> Thus we might say, what costs most labor is most valuable; cities cost most labor, therefore cities are most valuable. What is most valuable is most worthy of defense. Cities are most valuable, therefore are cities most worthy of defence. … Shall we not act unwisely in the extreme if we lose our treasure, permit our strong boxes to be rifled, the emporiums of our wealth invaded, by withholding the rival expense of a lock?[37]

Essentially, Quincy and his fellow representatives argued to the House that while the cities might be electorally insignificant compared to the countryside (in 1800, cities comprised approximately only 6% of the U.S. population), they had an outsize value to the economy of the countryside by whit of connecting the rural areas to international markets and by being sources of production themselves and that, as a consequence, deserved special protection. While urban citizens were certainly no more patriotic or republican than rural citizens, their outsize industriousness and wealth nevertheless entitled them to extra consideration. If American seaports were entitled to special

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[35] Annals of Congress, April, 1806, 1031-2.

[36] Ibid, 1031-2.

[37] Ibid, February, 1807, 593-4.

protection to safeguard their wealth, what sort of dangers was that wealth, and the communities themselves specifically exposed to?

Urban anxieties were strongly concentrated upon the fear of the violation of seaport harbors by hostile warships. Should even a single hostile ship enter an unprotected harbor, it would be in a position to at the very least seize docked American merchant ships and at worst reduce the entire city to ashes by bombardment. A hostile ship could also use the threat of such bombardment to force the city's surrender, bringing about occupation, confiscation and potentially wholesale pillage.

However, seaport inhabitants were less worried that enemies would force them to surrender their allegiance to the United States or their self-government than a few warships would simply extort massive sums from urban coffers and then leave. The specific fear that a couple of European battleships or some even weaker force would as they put it, "lay them under contribution" occurs again and again in congressional debates, urban newspapers and military documents. In the words of Rep. William Ely (F-Mass.),

> Defenceless nations invite aggression. We are wealthy. If two ships of war can come and take three or four millions from the banks of New York, it would be found very convenient to the ways and means of any nation.[38]

Seaport newspapers refer frequently to memories of the War of Independence and the losses suffered by poorly or unfortified seaports. Representative John Williams, (DR, NY) reminded Congress that, "during the war… one third of the city of New York was burnt by the enemy," not to mention much of the rest of the state devastated or occupied.[39]

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[38] Annals of Congress, February 1807, 597-8.

[39] Ibid, May 1796, 1372.

These fears were very legitimate in the late eighteenth and early nineteenth century in which the seas swarmed with privateers and pirates, European navies grappled for supremacy even in the Caribbean and British frigates lay outside American harbors to search for deserters and impress American sailors. Both Presidents Adams and Jefferson called Congress's attention that the general danger in the seas had reached the coast. Even as late as 1806, Rep. Dawson (DR-Va.) referred to Thomas Jefferson's address to Congress,

> Our coasts have been infested, and our harbors watched, by private armed vessels, some of them without commissions, some with illegal commissions, others, with those of legal form, but committing piratical acts beyond the authority of their commissions. They have captured in the very entrance of our harbors, as well as on the high seas, not only the vessels of our friends coming to trade with us, but our own also.[40]

Dawson argued that the warning of the president was joined by that of the people, "Already have our constituents expressed their sentiments, daily do our fellow citizens convey to us declarations of their indignation."[41]

[40] Annals of Congress, 9th Congress, January 1806, 377.

[41] Ibid, 378.

IV. Popular Participation

Direct popular participation in fortification demonstrates most clearly the connection between individual communities and their harbor defenses. As the professional, and initially mostly European engineers commissioned by the War Department spread out across the East Coast of the new United States to examine and fortify seaports, they were met by towns whose assemblies, vigilance committees, guilds, local patrons and militias were animated by a strong desire to secure fortifications.[42] For seaport citizens, simply picking up shovels and heading to the construction site was the simplest means of acquiring a fortification.

New York's newspapers provide an excellent look into the way volunteer fortification labor was organized and how it was closely associated with a general interest in fortifications. In 1794 as engineer Charles Vincent determined to build a string of forts across the islands in New York harbor, the city's various guilds, clubs and associations spontaneously turned out to provide free labor. A sample notice was that of the Journeymen Hatters,

> THE Journeymen Hatters of this City, who may be incline to assist at the public works, now going forward at Governor's Island, are requested to attend a meeting, on Monday Evening, at 7, o'clock, at the house of Mr. Bush.[43]

Organizations which provided volunteer labor in New York included the Grocers, Coopers, Schoolmasters, Bakers, Cartmen, Journeymen Cabinet Makers and the General Society of Merchants and Tradesmen. More elite professions did not excuse themselves, and the Lawyers posted a notice identical to those of the tradesmen

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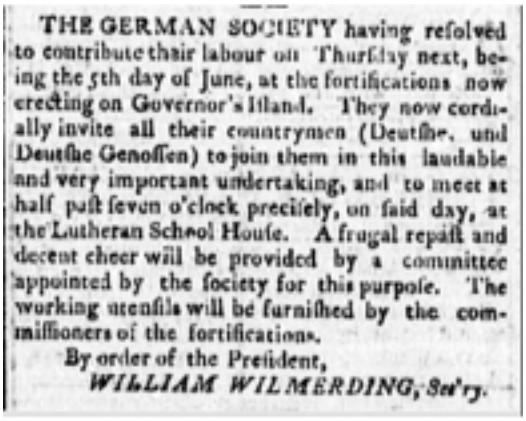
[42] American State Papers, Military Affairs, Salem & Marblehead 76-7; Wilmington 86; Portland, 75.

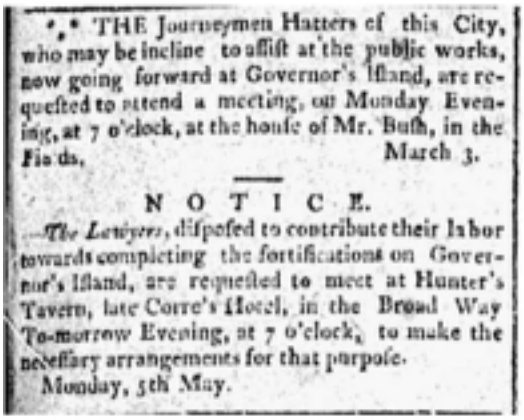
[43] Advertisement, *The Daily Advertiser* (New York), May 5, 1794, 3, accessed on April 6, 2016, http://docs.newsbank.com/s/HistArchive/ahnpdoc/EANX/10D9DBEAADC32A08/0D0CB4F084AAC1B5



THE GERMAN SOCIETY having resolved to contribute their labour on Thursday next, being the 5th day of June, at the fortifications now erecting on Governor's Island. They now cordially invite all their countrymen (Deutsche, und Deutsche Genossen) to join them in this laudable and very important undertaking, and to meet at half past seven o'clock precisely, on said day, at the Lutheran School House. A frugal repast and decent cheer will be provided by a committee appointed by the society for this purpose. The working utensils will be furnished by the commissioners of the fortifications.

By order of the President,

WILLIAM WILMERDING, Sec'ry.



*** THE Journeymen Hatters of this City, who may be incline to assist at the public works, now going forward at Governor's Island, are requested to attend a meeting, on Monday Evening, at 7 o'clock, at the house of Mr. Bush, in the Fields. March 3.

NOTICE.

The Lawyers, disposed to contribute their labor towards completing the fortifications on Governor's Island, are requested to meet at Hunter's Tavern, late Corre's Hotel, in the Broad Way To-morrow Evening, at 7 o'clock, to make the necessary arrangements for that purpose.

Monday, 5th May.

To the respective Young Gentlemen of Baltimore.

COMPANIONS,

EVERY day presents to us the necessity of putting our commercial towns into a state of defence. Our FATHERS, our fellow-citizens in general (as well as some of ourselves) have set an example on this occasion, too laudable to pass unnoticed by the most thinking part of us. It is the intention of a number of *us*, friends to our country, and who wish to protect ourselves and property from any sudden insult or attack from an unexpected enemy, to assemble on the second Saturday in June next, at the court-house, at 6 o'clock in the morning, for the patriotic and liberal purpose of marching to the fort at Whetstone Point, with a determination, if possible, to complete that valuable and highly necessary fortress. Unite, my friends, and let each of us have it to say in future years, "*It was a part of my labor that secured to us so valuable a fortification.*"

A YOUTH.

Darley-Mount, May 23, 1794.

promising to provide manual labor. Ethnic and national societies like the English Republicans, the Republican Irishmen and the German Society also volunteered. In Baltimore, labor was even organized generationally: "A Youth" asked his fellow "Young Gentlemen of Baltimore" to emulate their elders currently volunteering on the fortifications by gathering at a set time to volunteer as a group.[44]

One thing that immediately becomes clear in these notices is that the seaport volunteer laborers did not believe they were building "refuges of tyranny" but instead characterized their labor as a patriotic effort without reservations even in places where they were building elaborate masonry works. As the The Tammany Society/Columbian Order (the newborn Tammany Hall), proudly proclaimed in its notice to work on New York's extensive defenses, "This being a voluntary act, it is presumed that none who are well-wishers to the safety and security of this country, will neglect to attend."[45]

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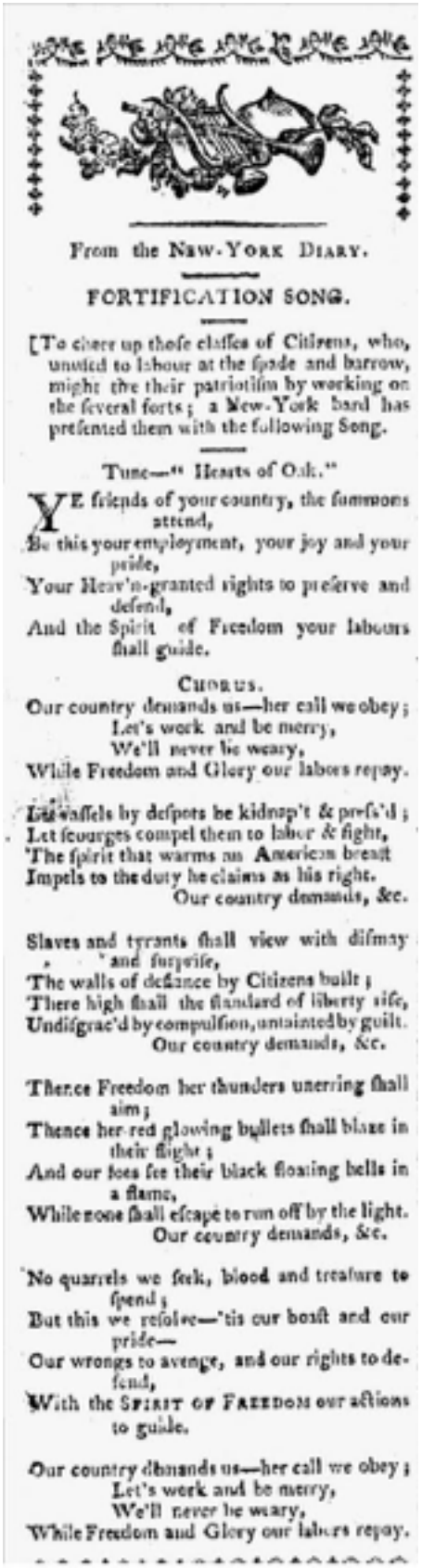
[44] "To the Respective Young Gentlemen of Baltimore," *Baltimore Daily Intelligencer* (Baltimore), May 24, 1794, accessed April 6, 2016, http://docs.newsbank.com/s/HistArchive/ahnpdoc/EANX/107B031AA5425868/0D0CB4F084AAC1B5

[45] Advertisement, *Greenleaf's New York Journal* (New York), April 30, 1794, accessed April 6, 2016, http://docs.newsbank.com/s/HistArchive/ahnpdoc/EANX/1096B3B09665BBF0/0D0CB4F084AAC1B5



From the NEW-YORK DIARY.

FORTIFICATION SONG.

[To cheer up those classes of Citizens, who, united to labour at the spade and barrow, might give their patriotism by working on the several forts; a New-York bard has presented them with the following Song.

Tune—"Hearts of Oak."

YE friends of your country, the summons attend,
Be this your employment, your joy and your pride,
Your Heav'n-granted rights to preserve and defend,
And the Spirit of Freedom your labours shall guide.

CHORUS.

Our country demands us—her call we obey;
Let's work and be merry,
We'll never be weary,
While Freedom and Glory our labors repay.

Let vassels by despots be kidnap't & press'd;
Let scourges compel them to labor & fight,
The spirit that warms an American breast
Impels to the duty he claims as his right.
Our country demands, &c.

Slaves and tyrants shall view with dismay
and surprise,
The walls of defiance by Citizens built;
There high shall the standard of liberty rise,
Undisgrac'd by compulsion, untainted by guilt.
Our country demands, &c.

Thence Freedom her thunders unerring shall aim;
Thence her red glowing bullets shall blaze in their flight;
And our foes see their black floating hells in a flame,
While none shall escape to run off by the light.
Our country demands, &c.

No quarrels we seek, blood and treasure to spend;
But this we resolve—'tis our boast and our pride—
Our wrongs to avenge, and our rights to defend,
With the SPIRIT OF FREEDOM our actions to guide.

Our country demands us—her call we obey;
Let's work and be merry,
We'll never be weary,
While Freedom and Glory our labors repay.

Seaport inhabitants asserted that fortifications were fully compatible with, and even integral to, republicanism, in that they could give republican citizens a better ability to defend their lives, families and property against predatory monarchies. An oft-reprinted (and thus often used) "fortification song" written for volunteer fortress laborers to sing in the 1794 New York Diary is worth reproducing in full (at left).[46]

Congressional representatives echoed their constituents' proud statements about "walls of defiance by citizens built" and elaborated on the importance of fortifications to republics with classical references to republican city defense. In the words of Rep. Orchard Cook (DR-Mass.), in arguing in favor of defending cities with fortifications rather than

[46] Fortification Song, *Virginia Chronicle* (Norfolk), June 2, 1794, accessed on April 6, 2016, http://docs.newsbank.com/s/HistArchive/ahnpdoc/EANX/10F5969A4D911560/0D0CB4F084AAC1B5.

retreating to the hinterland for guerrilla warfare,

> Indeed sir, with the ancients, the city was the sine qua non of national existence. When Troy fell we hear no more of the Trojans and the Carthaginians lost their name under the ruins of their city. In those days each city was defended as a Thermopylæ. Modern tactics support a doctrine equally brave and politic… Mr. Chariman, If the slaves of a despot, or the subjects of a king, compelled to fight for rights not their own; if they defend the abattis of their forts and bravely meet their foes at the parapet, shall we less valorously protect our dwellings, our property, our families, and our holy and sacred right of self-government?[47]

Cook concluded that fortifications had just as much value to modern republics as ancient ones, arguing that "To a country defended by militia, fortifications are indispensable. I ask sir, of military men who served in our Revolutionary war, could we without fortifications, now so decried, have succeeded in that war."[48]

According to some sources, patriotic relations to fortifications was so important as to be above party. One New York editorial had to say of the "spirit and unanimity" of the "voluntary services performed on the fortification" that "the zeal of *all* [original emphasis] parties in this business proves, that however men may differ on speculative points, or certain measures of government of little performance, yet all men agree to put the country in a posture of defense."[49]

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47 Annals of Congress, February 1807, 593-594.

48 Ibid, 596.

49 Article, *American Minerva* (New York), May 12, 1794, http://docs.newsbank.com/s/HistArchive/ahnpdoc/EANX/10932346393A48A8/0D0CB4F084AAC1B5

So much was “the public attention turned to Fortification” that the *American Minerva* published a glossary of technical military engineering terms for layman readers,

> THE terms of Fortification, continually occurring in the interesting accounts of the belligerent powers in Europe and the West indies, and the spirit which animates every class of our citizens, voluntarily uniting to forward the works on Governors Island, in defence of this harbor, being at present the leading topic of conversation in almost every company—the following explanation will we have no doubt be acceptable to our readers, as they tend to give a more clear conception of the principle means used both in defensive and offensive tactics.[50]

Among readers of the *American Minerva* at the very least, it is fair to assume knowledge of the correct definition of the terms glacis, covered way, fosse, scarp, counterscarp, rampart, curtain, bastions, parapet, embrasures, outer guards, citadel followed by a definition of the terminology of siege warfare, such as counter guards, counter approaches, palisades, fascines and mines. Knowledge of fortification was also considered part of a good “republican education” as modeled upon accounts of how freshly-minted French republican citizens were being educated.

In most seaports, labor was organized by local societies, militias and town assemblies and people manifested patriotic enthusiasm to build defenses for their homes and businesses. But, the smaller seaport communities, however zealous, only had the resources for small forts and some of them had ideas that conflicted with professionals. It is here that Browning and Lewis’s thesis of a traditional style is most persuasive. However, behind all these actions lay the desire of an individual community for what it perceived to be the best defenses possible.

The inhabitants of Wilmington, Delaware, for example, disliked the spot Engineer Pierre L’Enfant (the planner of the new Federal City) had chosen, which was rather

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[50] Advertisement, *American Minerva* (New York), April 29, 1794, http://docs.newsbank.com/s/HistArchive/ahnpdoc/EANX/10932329A4848E78/0D0CB4F084AAC1B5

swampy, and consequently refused (through the mouthpiece of the state's governor) to provide the customary volunteer labor unless L'Enfant built it in a spot less "difficult to reinforce with militia in case of an alarm or emergency." In this case, the Wilmingtonians indeed referenced a traditional use of forts as rallying points for the militia, a use that the American Vincent took into account in his defense of New York, but that the European L'Enfant found infuriatingly counterproductive. Arguing that that the Wilmingtonians' site failed to command the entire river, L'Enfant vented his frustration on the traditional fortification mode of local control and volunteer labor,

> You speak from a computation of the difference of a free labor, which you say the inhabitants are willing to perform, provided the work is erected where they wish it to be, meaning apparently by this, that their assistance cannot be expected where I propose. I must observe this would have but little weight with me, because the works intended to have a permanent object, would better be constructed by proper workmen carrying it on gradually, than to have recourse to those expedients of mustering the citizens at large, which may do well at a moment of immediate necessity; when circumstances may require those works to be made complete.[51]

L'Enfant observed tartly that a fort on the site the townsfolk wanted would be useful only for "a salute, and to afford an afternoon diversion to the inhabitants of the town."[52]

Focusing on this conflict should not blind us to the fact that its cause was not opposition to fortifications but differing opinions on their best use. While, it is fair to say that Browning's judgment that the participation of inhabitants like the Wilmingtonites could be an obstacle to the efforts of military engineers and that their views did not align with the plans for powerful, permanent works, these historians mistakenly extend this judgment, fair with regard to small provincial towns, to the republic's great seaports: to places like Baltimore, Boston, Philadelphia and above all New York. In these places, an

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[51] American State Papers, Military Affairs, 86.

[52] Ibid.

identical commitment to voluntary labor and local participation can be found, but one far more congenial to engineers and their plans for extensive permanent works. J.J.U. Rivardi, one of the First System engineers, found an excellent reception in Baltimore, writing, “In general, it seems that the citizens are disposed to give every possible assistance; so I hope the whole plan will be executed for the sum allowed by the [Federal] Government.”[53] Rivardi expressed a wish that there were more Americans with engineering expertise, but expressed satisfaction with the efforts of the Baltimore militia, local consultants, officers and a volunteer artillery company.[54] Rivardi’s opinion had not changed when he left Baltimore for the smaller Virginian ports around Hampton Roads, “In Baltimore, I found the situation so advantageous, the soil so proper for fortification and the zeal of the inhabitants so favorable to my purpose, that, after having given the necessary plans, I left the place with strong hopes that the works should be executed for the sums allowed by Government for that purpose.”[55]

In the provincial Hampton Roads area of Virginia, the same zeal that had been so useful to Rivardi in Baltimore suddenly became both insufficient and an obstacle, for interesting reasons. Zeal was insufficient because both towns lacked the population or skills to supply him with sufficient labor.

Most interesting however, the attachment of a community to its fortifications became an obstacle because individual communities prioritized their individual defense over the greater good of the region. When Rivardi arrived, Portsmouth and Norfolk began to argue with each other over which town should be fortified, the men of both

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53 American State Papers, Military Affairs, 89.

54 Ibid.

55 ASP, Military Affairs, 91.

towns proclaiming they would only work on their own forts.[56] While one party did claim to despise all fortifications, preaching the merits of guerilla-style "bush" warfare,[57] the problem was not so much that localism led inhabitants to prefer temporary to permanent fortifications, but that localism led them to prefer their own over that of others.

If we compare Baltimore and Hampton Roads, the difference between popular participation in large and small cities makes sense, particularly if we consider the function of forts and the importance of property. A large city like New York or Baltimore possessed not so much superior zeal (the inhabitants of Wilmington, Norfolk and Portsmouth were all zealous about what they perceived to be the best way of fortifying their particular respective towns) but superior *resources*, meaning that they had more to draw on to fortify and also more to protect. Both factors drew them to demand bigger and better fortifications.

While most inhabitants of seaport towns were deeply interested in their own fortifications, the great commercial cities differed from their smaller cousins in that they specifically and consistently sought not temporary, traditional fortifications but massive, permanent and garrisoned fortifications. They certainly helped with these fortifications through local participatory methods like volunteer labor, but projects of such a scale required the resources of governments, and as they met federal engineers with the expertise in fortification that Americans had for centuries lacked as colonials, the numerous and sometimes quite wealthy citizens of seaport towns aggressively moved to make their representatives seize the day and supply their respective engineers with the resources to build them the largest and most modern ramparts available.

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[56] ASP, Military Affairs, An analysis of Rivardi's difficulties can be found in David A. Clary's *Fortress America: The Corps of Engineers, Hampton Roads, and United States Coastal Defense*, 14-35.

[57] Ibid.

V. Representation, Lobbying and Legislative Action

While many speeches were given in favor of fortifications, Josiah Quincy's April 15, 1806 speech to the House of Representatives was one was one of the most eloquent, and its reception, not only in Congress, but by the people of American cities, reveals the impossibility of separating the actions of congressmen from the fears of their representatives. The May 13, 1806 edition of *The Balance, and Columbian Repository*, a New York newspaper, was one of many newspapers that considered that speech worthy of reprinting in its entirety, and did so with the following introduction, begging leave to call

> …serious attention to the following Speech of Mr. Quincy, of Massachusetts. We ask democrats to divest themselves for a moment of party-prejudice, and read it. We desire, that they may remember, at every line, that John Pierce, an American citizen, was killed in the entrance of the harbor of New-York, within a quarter of a mile of the shore, while navigating a coasting sloop, by a paltry British force, in no respect superior to three of our frigates.

Quincy's speech was printed in its entirety in Philadelphia, Boston, Newburyport, Charleston, New Haven and Northampton as well, each time alone under the specific heading "Quincy's Speech."[58] The speech was used by both sides in pamphleteering debates on fortifications. Western-sympathetic authors opposed to harbor fort spending attempted to poke holes in his argument that Congress owed the east its fortifications because it had already spent millions on western land purchases and expansion,[59] while urban supporters extensively quoted "the eloquent Quincy" to oppose such "quibbling nonsense."[60]

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[58] The speech appeared in the following newspapers outside of New York City: *Charleston Courier*, October 03, 1806; *The Repertory*, May 27, 1806; *Newburyport Herald*, May 06, 1806; *Connecticut Herald*, May 06, 1806, *Hampshire Gazette*, May 07, 1806.

[59] *The Democrat*, August 20, 1806.

[60] *New-York Spectator*, November 15, 1806.

Seaport inhabitants were not ignorant of congressional debates on fortifications, and indeed watched them so closely that they could even, though living in one of the most bitterly partisan periods of American history in the interest of security "divest themselves for a moment of party-prejudice." Well-informed urban citizens sought to keep firm control of their representatives at both the state and federal level, lobbying and petitioning them aggressively while making election choices with security in mind.

The most complete illustration of the strong relationship between seaport inhabitants and their legislators is shown by New York City's relentless two-decade campaign to secure the city's harbor with an extensive, permanent system of masonry fortresses. In many American seaports, particularly the largest, inhabitants quickly realized that the funds allocated by Congress were inadequate to substantial fortifications and began to petition state legislatures to supply additional money. As a New London newspaper argued, after describing the voluntary work of various parties of citizens on the fortifications, that the current Federal funds were "very insufficient" to fortify the port, and that therefore, the state legislature should add its own substantial funding.[61]

In 1794, New Yorkers aggressively pressed the state government in Albany to provide such funding. When a fortification bill was raised and voted down in the state legislature, New York City erupted in outrage. Confusion immediately ensued, with one newspaper report stating representatives had failed to pass the bill generating uproar in the city while other reporters, who claimed that the bill had been passed (and it was, but only after being turned down several times) frantically assuring them their

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[61] *Weekly Register* (New London) June 10, 1794.

representatives had done their jobs.[62] On March 24, 1794, the New York state legislature received letters and a petition from New York City. The letters, “from gentleman of that city” urged “in the strongest and most pressing manner, that a sum of money sufficient for that purpose be granted for the immediate fortification of New-York, &c” while the petition, “from a number of the inhabitants of the said city” concurred.[63] The editorial said that fortunately the congressmen had already passed the bill when they received the petition.

“A Citizen” reflected on what he believed had happened: the fortification bill would never have passed, he argued “had it not been for the clamors and determination of the citizens ton the occasion” and the city would “have been left exposed … to the invasion even of an Algernine cruiser” For this reason, “A Citizen” argued, New Yorkers should remember which “names on those tickets” in the upcoming state election had “no claim to the suffrages of the citizens” and they should vote accordingly to secure a legislature willing to maintain the defenses of the city harbor and of the state generally.[64] What exactly happened in Albany is irrelevant: what is clear is the demand of New York City for fortifications and the desperation of the legislature to avoid appearing to reject their request.

In the 1790s, the New York state government, clearly attentive to the interests of Manhattan, began to pour funding into the harbor fortifications under construction, allowing engineers originally appointed by the federal government to attempt ambitious,

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62 *The Daily Advertiser*, March 22, 1794; *The Daily Advertiser*, March 26, 1794; *Columbian Gazetteer*, March 31, 1794.

63 *American Apollo* (New-York), April 10, 1794.

64 *The Diary or Loudon’s Register* (New York), April 19, 1794.

permanent fortresses they could never have attempted with the much smaller federal funds.

It was only a matter of time before Congress discovered that New York had vastly exceeded its purview. William Lyman, the head of the committee on fortifications, reported to the House of Representatives on May 9, 1796, unlike in the rest of the country, at New York, “works have been laid out upon a plan very extensive, constructed with durable materials, and principally under the direction of the Government, and at the expense of, that State.” Lyman, a pro-fortifications representative from Massachusetts, recommended that Congress support New York with an additional appropriation of federal funds, generating fierce debate in the House.[65]

The congressional fight which ensued revealed that many states were willing to push hard against Federal power to fortify their harbors. Rural representatives quickly argued that if New York wanted more federal money, it should cede the land their forts were built on to the Federal Government and thus turn over control of construction from the state to the federal government. Representatives from New York, Massachusetts, South Carolina, Pennsylvania and others argued that they would not cede fortress land to the federal government because their constituents feared that Congress would fail to fund security, so they would be better off simply keeping control of the land, manning the ports with state troops and building them with their own resources. The seaport states continued, however, to demand federal funds anyway, claiming that it was only the negligence of congress that had forced such a drastic states-rights strategy. This issue produced a lengthy and convoluted debate over the issue of sessions and funding.

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[65] ASP, Military Affairs, 1796, 115.

The takeaway, however, was that seaports were generally willing to pursue every available political avenue to secure as much funds for as permanent fortifications as possible. New York's claim that it had already spent $200,000 on its forts, which would nevertheless be useless if federal funds did not complete them, aroused the anger of rural representatives who felt as if they were being blackmailed. Rep. Henry Dearborn, (DR-Md.) one of the lone seaport representatives to oppose permanent fortifications (out of military opinions), criticized the seaports for their independent initiative. "The State of New York," Dearborn accused, "could not have contemplated more extensive works if we had actually been engaged in war." Dearborn extended his accusation that states were pursuing overly strong and permanent fortifications to other large seaports, "At Charleston, it seemed as if it were the intention to erect works, not only to keep off single vessels, but to defend themselves against any naval force." Dearborn also hinted that Boston was pursuing the same course.[66]

Rep. Jonathan Dayton (F-N.J.) demanded that states cease to take fortification into their own hand, declaring that no federal money could be spent until states stopped planning massive works on their own initiative which would require immense federal expenditures to complete, and instead waited for some representative of the Federal government to examine their harbors again and then the state should submit the whole sum required, not simply demand more allocations. At present, he said, New York might as well "have thrown money into the sea."[67]

New York's representatives responded aggressively. Williams argued that "peace was the season to prepare for war" and that after New York had expended "two hundred

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[66] Annals of Congress, February, 1797, 2212.

[67] Ibid, 2213

thousand dollars" because the state had seen that congress was not "disposed appropriate money for defending the state of New York and that now, all their work would go to ruin without a small federal appropriation. Jonathan Havens (DR-N.Y.) said his state lacked confidence that should they put the matter in federal hands, "that the Government would do anything effectual."

The representatives of other seaports also came to New York's defense, but simultaneously inserted the demands of their own harbor for more and better forts. William Smith (F-S.C.) declared that he believed the fortifications the state of New York had begun itself were on a "noble scale, and that it would be disgraceful to the United States to suffer them to go to ruin." But he reminded Congress, "the port of New York was in a better state than that of Charleston." Charleston, which "had expended twenty thousand dollars" did not have the resources of New York but had done what it could, and thus merited federal consideration of at least the funds to keep what it had built maintained. Charleston's forts immediately became the subject and Mr. Livingston of New York immediately jumped up to defend Charleston in turn.

The debate over New York's excessive fortification illustrates that maritime states pushed harder for more permanent and extensive fortifications than Congress, spurred on by their constituents. New York's plans were the most controversial, but it was not alone: Boston, Baltimore, Philadelphia, Charleston and others all came under similar scrutiny.

As we have also seen, in Congress itself, the representatives of seaport states consistently stood up for the defense of their own individual seaports while occasionally

uniting as a commercial city bloc. This is because congressional support for fortifications was directly tied to the demands of seaport inhabitants.

Even without bringing rural representatives into the picture, seaport representatives often had difficult uniting as a block around their similar interests, bickering over the small pool of Federal funds rural majorities were willing to provide. However, just as the tussle between towns like Norfolk and Portsmouth over who's harbor should be fortified reveals how much the inhabitants of each cared about being protected by fortifications, so the seemingly myopic tendency of congressmen to seek funds for the seaports of their own states at the expense of general systems of national defense exposes the strong links between congressman and their constituents when it came to fortifications. Alongside politicians' statements about general national interest or even the broad interest of the commercial city bloc was a constant jockeying to log-roll their particular towns as much defense as possible.

For example, In 1794, Congressman Murray (F, Md.) attempted to get his own Annapolis, Maryland, added to the First System list of cities to be fortified, specifically justifying the measure by reference to the "wishes of his constituents."[68] During the crisis over the cession of lands for forts arguments broke out not just between urban and rural coalitions, but between the representatives of individual seaport-possessing states as each sought to find the political angle that would result in the most money in their pockets. As New York and Massachusetts argued that federal negligence had forced them to go it alone on fortifications, and therefore they were still entitled to federal funds even if they didn't cede land to the federal government, representatives of those seaports who had *already* ceded land loudly complained that they *certainly*,

[68] Annals of Congress, 615-616.

having followed all the rules and placed themselves at the mercy of the Federal government, were entitled to more funds.[69] In 1798, Thomas Blount (DR-N.C.) spoke in favor of the fortifications of Oracoke, North Carolina specifically.[70] William Barry Grove, a Federalist from the same state, concurred adding that Wilmington and Georgetown, N.C., "had not a gun to protect them against any privateer that might come against them" and that he "could produce letters to show that the people in that quarter consider themselves to be in a very dangerous situation" and thus he could not "sit silent and see the State from whence he came wholly neglected."[71] In this instance, the representatives of New York, for whom the appropriation on the floor was already designated, somewhat disingenuously argued that their was no need to designate more ports and that the president could sort out which places were most important (New York City of course, universally being considered the most important port).[72] Soon later, Charleston's representatives added their two cents about the needs of their harbor, argued New York had enough money, and so on.[73] More examples could be listed, but a quote about the land cession fortification issue from Rep. John Swanwick (DR-PA), a

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69 Annals of Congress, February 1797, 2219-2220.

70 Ibid, 5th Congress, April 1798, 1395.

71 Ibid, 1397.

72 Ibid, 1397-8.

73 Ibid, May, 1796, 1371-2.

former Philadelphia merchant, sums up the localism of congressmen with regard to fortifications,

> It was very evident, he thought, from the conduct of that gentleman himself [Mr. Livingston of New York] that they could not altogether diverse themselves of feelings of locality. Neither did he think it necessary that they should do so. It was perhaps an advantage to the whole, that every man had a propensity to do that which would correspond to the interests of his constituents; for, by this means, the whole Union would have a fair chance of being equally seven, since it was equally represented.[74]

An undoubtedly major factor in the solicitousness of representatives for their own ports was the close interest with which fortifications were followed in ports. Few seaport congressmen had the luxury of dispassionately considering what places would best be fortified, and even the handful who were truly convinced of the uselessness of fortifications in turn lobbied aggressively for their seaports to be provided with gunboats, floating batteries or whatever other security measure they preferred. As well as through elections, seaport inhabitants maintained contact with their representatives and with congress as a whole through frequent petitions.

Consistently New Yorkers argued to Congress through petitions from the state legislature, the city corporation and various combinations of citizens in favor of greater harbor defenses. In 1798, Samuel Sewall, (F-Mass.) called attention to a memorial of the New York Chamber of Commerce on the insecurity of the harbor.[75] In 1806, George Clinton (DR-N.Y.) referred to two more petitions from New York in favor of greater harbor fortifications, one from the “merchants of the city” and one from the “Corporation” itself (the metropolitan government).[76] An 1807 resolution from the state legislature to

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[74] Annals of Congress, May, 1796, 1365.

[75] Ibid, April 1798, 1383.

[76] Ibid, 9th Congress, January 1806, 379.

Congress asked for “a plan of durable and permanent defence for the port of New York” requiring permanent upkeep by “annual appropriations” or a “general provision” of a large sum that, citing the commercial and revenue value of their city.[77] More informally than presenting a petition to be read on the floor, congressmen tended to offhandedly reference how many of their constituents had requested defenses in their speeches.

The Congressional debates on fortifications were complex and a great deal shifted from 1794 to the War of 1812. By 1806, a confusing situation emerged in which many non-seaport representatives from inland states aggressively demanded the protection of American sailors and seaports, but advanced gunboats as a defense while a specific faction referred to as the War Hawks pushed for war with Great Britain in the name of sailor’s rights and the national honor all the while angling at the conquest of Canada. Throughout this period, seaport representatives continued to advocate fortifications and avoid war with Great Britain, which could and did ruin American commerce overnight. Fortification advocates also clashed with the supporters of gunboats, which they (correctly) argued were of only limited military use, more expensive than fortifications and generally incapable of fighting European battleships. Much work remains to be done to distinguish different strains of the military controversy in this critical period during which much of the relationship between the American federal system and warfare was first laid down, but hopefully this paper has demonstrated that fortifications must play a significant part in this debate.

As a final note on how important fortifications were to the politics of the era, when pushed to the edge, their advocates of both parties were occasionally unafraid to actually threaten secession from the United States. In his major speech of 1806, Josiah

[77] ASP, Military Affairs, 215

Quincy (F-Mass.) declared, “It requires only some real misfortune, resulting from your ill-timed parsimony, or misplaced affections, to rouse a spirit in the commercial states which will shake this Union to its foundation.”[78] Orchard Cook (DR-Mass.) concurred in 1807, but with a classically republican twist, arguing that cities had an eternal right to expect to be fortified by their leaders, and if those leaders failed to do so, they forfeited their sovereignty.

> Sir, I will ask, can any be hardy enough to claim allegiance, and at the same time refuse protection? Will you issue decrees of disenfranchisement and excommunication? Will you put citizens at the ban of empire, and still claim of them obedience and revenue? If you should act thus unjustly, will you not drive the oppressed into rebellion? Will they not be justified in following the example of the ancient Thessalians, a people inhabiting a frontier State of Greece, who, when threatened with a Persian invasion, asked that their country be fortified, and who, being refused, joined the invaders to subdue their own countrymen.

For the Federalist and the Democratic Republican reps. from Massachusetts alike, fortifications were something worth fighting for and something citizens had a right to and were oppressed if they lacked. Their fire should convince us that as long as the fortress remains peripheral to the historical account of the military politics of this period, our picture of the first few decades of the American republican experiment will be incomplete.

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[78] Annals of Congress, 9th Congress, April 1806, 1037.

VI. Conclusion

There is one understandable reason for the lack of historical interest in American east coast fortresses, both those built from 1794 to 1812 and those of the nineteenth century in general: very few ever fired their guns in anger. The unromantic paradox of fortifications is that, while the most powerful offense is obvious because it wins great victories, the most invulnerable defense is invisible because it deters attack. This makes it very difficult to tell whether a fortification which was never attacked was very powerful or simply unnecessary. Regardless, either one makes for a rather dull story of maintenance and garrison duty, of a weary battle with boredom and the elements rather than a fiery tale of bloody assaults and repulses.

The War of 1812 was the only major testing period for the First and Second Systems described in this essay. In that conflict, the British Navy quickly blockaded American seaports and descended upon the American coasts, launching a series of destructive amphibious raids. The primary purpose of these raids was to take pressure off Canada, which the Americans were opportunistically attempting to conquer. The British also sought to spread terror, punishing Americans for outrages against the Canadians, for the temerity to declare war and for the last century's rebellion itself. The British also hoped to splinter the American union, both by deliberately sparing the anti-war Federalist New England and punishing the pro-war Democratic Republican South. With this in mind, and also considering heavily fortified New York City, the richest American prize, too tough a nut to crack, the British descended upon the Chesapeake Bay in force in 1814, and the seaport communities experienced the nightmare they had feared for the past two decades. In the Chesapeake at least, regardless of the causes

of the War of 1812, seaport fears of devastation, contribution and pillage turned out to be rather well-founded.

According to Marion Breunig's pioneering study of the power of localism in the War of 1812, "A Tale of Two Cities: Washington and Baltimore during the War of 1812," the same urban initiative I have described as crucial to procuring fortifications was critical to defending them. According to Breunig, in Washington, D.C., a grandly laid out but barely built city lacking commerce, population, a strong sense of community and independent political identity (and a city that never appeared as a vigorous advocate of fortification for just these reasons in my narrative) was incapable of resisting a serious British attack, and consequently experienced the nightmare of the seaports: full-scale plunder, not to mention the purposeful destruction of its public buildings. Washington's smaller neighbors, Alexandria and Georgetown, escaped destruction only by giving tribute "contributions" to the British (the two towns, disgusted by federal neglect, refused to fly the American flag for a week after the British left).

When, in 1814, Baltimore became the target of British aggression, they found themselves fighting a far tougher target due to local initiative. Samuel Smith, the former Maryland congressional representative and an experienced soldier, took control of the defense, intensively training the city's militia long before the redcoats arrived. Local mercantile elites, who were closely allied to their former house rep, and recognized clearly that commercial Baltimore was an obvious target, flooded Smith's efforts with cash for patriotism and property. The people of Baltimore rallied and prepared strong earthworks around the entire city in multiple layer. As Breunig describes, even the new

cathedral was fortified. In the harbor, Fort McHenry, the city's First System fort, was also readied to contest any attempt to force entry into the harbor.

Baltimore met the challenge successfully, aggressively contesting the first British landing and falling back in order to their earthwork fortifications, forcing the British to force the harbor to take the city, which required silencing the guns of Fort McHenry. On September 12, British vessels bombarded Fort McHenry's garrison in a brutal 24-hour barrage that left the defenders mentally shattered but unbroken, and event forever immortalized in American memory by "The Star-Spangled Banner, the song, written by an eyewitness, which became the United States national anthem. In Baltimore, the victory as is celebrated "Defender's Day" every September 12 since. While most First and Second System forts are almost forgotten by the American people, the only one to actually face fire became one of the country's greatest patriotic icons.

There is a great connection between the localized, community-centric defense of American seaports (in large part on their fortifications), described by Marion Breunig and the community-motivated campaign of seaports to procure those fortifications, which this paper has detailed, just as the lyrics of the "Star-Spangled Banner" (especially if we consider the additional lyric not sung at baseball games about shooting up "despots" and "hirelings") have more than a passing resemblance to the "Fortification Song" of two decades earlier.

VII. Appendix: Fortress Form and Function

An understanding of the history of the design and function of European-style harbor fortifications is necessary to appreciate the First System (1794) and Second System (1808). In the Middle Ages, a European fortress was comprised simply of a series of thin masonry walls (curtains) which obstructed passage, topped with platforms (parapets) from which defenders could assail attackers with missiles. The invention of cannons necessitated radical design changes in fortifications as existing masonry curtains were too thin and brittle to either withstand besieging cannonballs or bear the weight of defensive artillery itself. As a consequence, masonry curtains shrank vertically and expanded horizontally, the curtain being backed by a great quantity of earth to absorb the shock of enemy fire and enlarge its parapet so it could mount defensive artillery. The curtain remained the primary obstacle to attacking infantry, and to compensate for the decrease in height of the curtain a deep (and generally dry) ditch was dug in from of the wall, the earth from which was piled up at the front of the ditch, creating a additional mass of earth (called a glacis) interposed between the curtain and enemy fire, sloped to deflect such shots. Similarly, the towers of medieval fortresses, which allowed defenders to flank attacks against the curtain, became lower and broader, forming great projecting triangular bastions capable of both flanking the ditch and covering the faces of the next bastion in the line.

A fortification of this design (often colloquially referred to as the “Vauban” style, after the great seventeenth century French master of besieging this mode of fortress) could be constructed with more or less permanence and sophistication. In the American colonies, which were rarely provided with professional engineers by Great Britain and

never possessed an engineering academy of their own, both landlocked and coastal fortifications were generally simpler versions of European designs along these principles. The curtains of colonial American fortifications were generally revetted with timber rather than stone and featured a variety of timber stockades and blockhouses best suited for fighting non-European natives or foreign colonists lacking substantial artillery.

In the specific context of harbor defense, artillery was placed so as to command the narrowest approaches to harbors, through which hostile ships would be forced to pass to get within firing range of the town itself, or, if no such choke points were available, were placed on high ground near the shore in the city itself, to drive off ships when they came too close. While enemies could certainly disembark from their ships outside the range of the fortress's guns and march on the city on foot, doing so would give the defenders time to assemble and prepare their landward defenses. On the simplest level, a coastal fortification could just be a number of cannons placed at a strategic point aimed at the harbor. The purpose of instead placing guns on a fortress was to provide the guns with protection, an ideal platform and with defense against a landward attack. A harbor would often be defended not only by one specific fort, but by a whole layout of multiple strategically placed batteries with varying degrees of earth and masonry protection.[79]

Historians have recognized that the First and Second Systems were, technically speaking, a mixed bag. Most works were simple earthworks, but a few were substantial

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[79] Raymond Lewis's *Seacoast Fortifications of the United States: an Introductory History.* Washington: Smithsonian Institution Press, 1970, provides a scholarly take on the design and function of American fortifications. Rene Chartrand's *Forts of the War of 1812* offers a good basic overview of American harbor fortifications along with contemporary American land fortifications and Canadian fortifications.

permanent masonry ones. Historians have generally not sufficiently recognized however, that was distinguished the strong from the weak was that the strong were built at seaports with vastly superior resources.

The American First System was primarily composed of informal earthwork batteries (and many more were constructed independently by small communities with their own resources) but included a handful of large masonry-revetted bastioned pentagon fortresses. The Second System included several traditional works of various qualities but its centerpieces were a set of forts in a modern radical departure from the traditional bastioned trace, built according to the theories of Marc de René de Montalembert, a maverick French engineer who posited that tall masonry towers with multiple tiers of guns could provide overwhelming firepower capable of rendering a fortress invulnerable to attack.[80]

More informally, cannons mounted on a raised earthwork, with or without a ditch and glacis, could form a moderately effective fortification. While both coastal and landlocked cities in Europe the Europeans colonies were sometimes entirely surrounded by an enciente of such fortifications, complete fortification of cities was very rare in the later colonial period and unknown in the early national period. For coastal defense, in both American and European seaports, fortifications ranging from massive, complex masonry-revetted fortresses to simple earthwork batteries were placed so that their guns commanded the approaches into the harbor and so as to prevent any ship from getting close enough to the urban center to bombard it.

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[80] Chartrand, *Forts*, 9. For a detailed look on the conflict between the traditional bastioned fortifications and Montalembert radical ideas see: Langins, Jānis. *Conserving the Enlightenment: French Military Engineering from Vauban to the Revolution.* Cambridge, Mass.: MIT Press, 2004.

Fortifications of different strengths were commonly defined by their "permanence." An "impermanent fortification" was one composed of only earthworks and timber and thus highly vulnerable to erosion and rot. Such works were usually kept small and not permanently garrisoned. Difficult to maintain, a temporary fortification could be expected to decay into uselessness within a few years. The general expectation was that such works could be erected and manned quickly and cheaply during a crisis, and then neglected.

A permanent fortification was an entirely different matter. Composed of masonry as well as earth, a permanent fortification, though initially far more expensive than an earthwork, was far more durable, and if garrisoned, could be quite cheaply maintained. Indeed, a permanent masonry fortress, large and capable of mounting scores or even hundred of artillery pieces and soldier, was expected to be permanently garrisoned even in peacetime for both maintenance and site security.

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