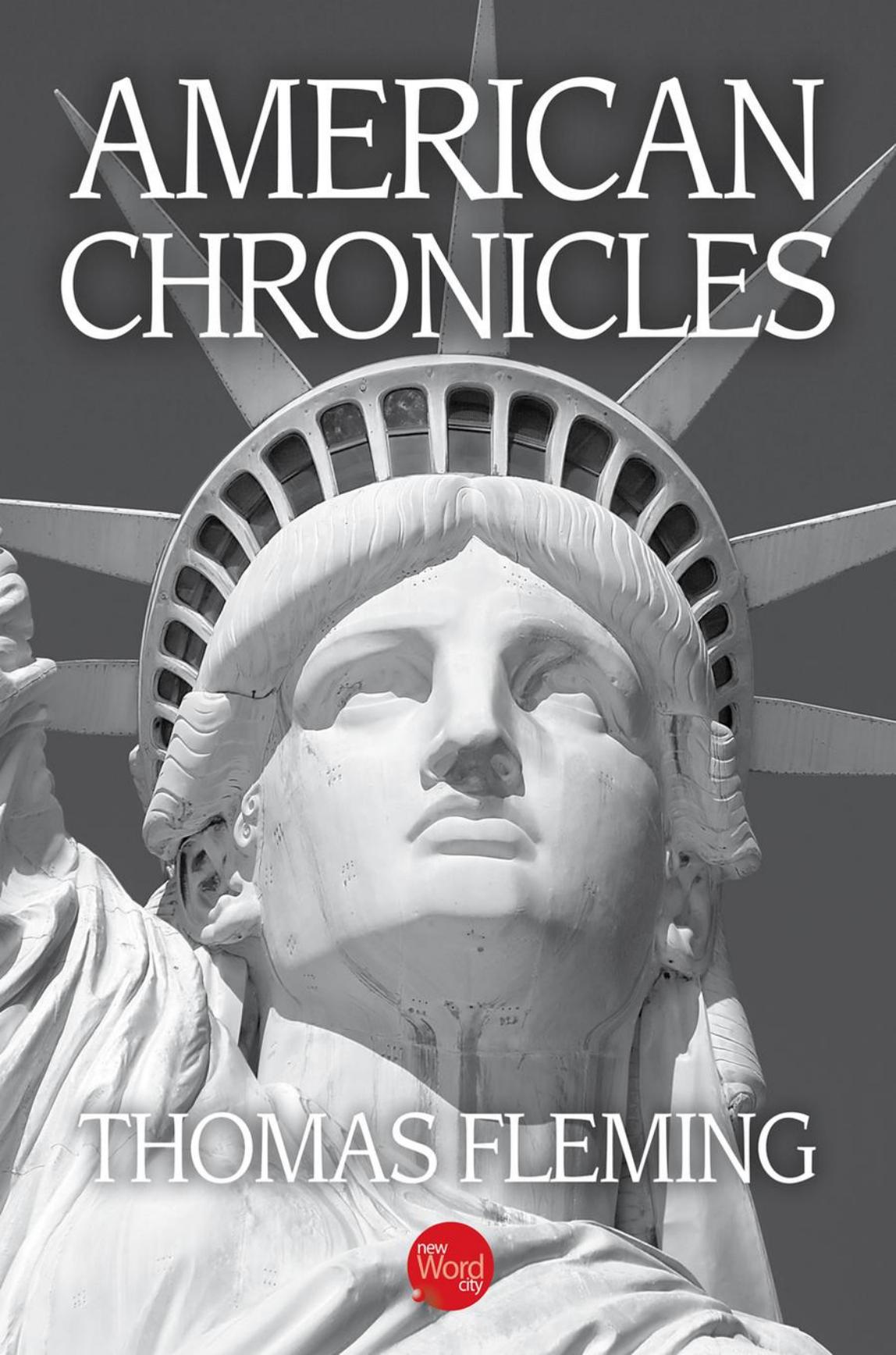


AMERICAN CHRONICLES



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EDITORS' NOTE

Thomas Fleming is best known as a historian of the American Revolution and a biographer of America's founding fathers. But, as the following collection shows, this exceptional, prolific author – his career spanned more than fifty years - also explored with equal passion and curiosity the history of other, later eras. We at New Word City are pleased to compile, for the first time, these various pieces in a single volume. We hope you enjoy reading them as much as we enjoyed working with and knowing this extraordinary man, who left us in 2017 at the age of ninety. Spanning the generations from the beginnings of the United States to modern times, these chronicles explore events and decisions that continue to impact our nation to this day.

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JEFFERSON VS. HAMILTON

"At a Court of General Sessions of the Peace, holden at Claverack, in and for the county of Columbia, it is presented that Harry Crosswell, late of the city of Hudson, in the county of Columbia aforesaid, Printer, being a malicious and seditious man, and of a depraved mind and wicked and diabolical disposition, and also deceitfully, wickedly and maliciously devising, contriving and intending, Thomas Jefferson, Esquire, President of the United States of America, to detract from, scandalize, traduce, and vilify, and to represent him, the said Thomas Jefferson, as unworthy of the confidence, respect and attachment of the People of the said United States . . . and wickedly and seditiously to disturb the Peace and tranquility as well of the People of the State of New York as of the United States . . . the said Harry Crosswell did on the ninth day of September, in the year of our Lord 1802, with force and arms, at the said city of Hudson, in the said county of Columbia, wickedly, maliciously and seditiously print and publish and cause and procure to be printed and published, a certain scandalous, malicious and seditious libel, in a certain paper or publication entitled 'The Wasp. . . .'"

All history is a mingling of the great and small, of kings losing kingdoms for want of a horseshoe nail, of presidents assassinated because a guard needed a break. But seldom has there been a stranger concatenation of the petty and the magnificent, the comic and the tragic, the trivial and the profound than in the case of the People versus Crosswell, in 1803. By an odd blend of good and bad luck, an obscure twenty-four-year-old printer wrote himself into the *Dictionary of American Biography*, established the libel law on which contemporary press freedom still rests, jarred the political security of President Thomas Jefferson, and indirectly helped to involve Alexander Hamilton in his fatal duel with Aaron Burr.

In 1803, the infant American Republic was running a high political fever. The ferocity of the verbal warfare raging between the Federalists, the party created by Hamilton, and the Democratic-Republicans, led by President Jefferson, has rarely been matched in American politics, even by the diatribes of today's far left and ultra-right.

The first fusillades had been fired during George Washington's presidency. The Jeffersonians, with not a little help from the

Sage of Monticello himself, had set up journalists such as Philip Freneau and Benjamin Franklin Bache with one mission, to deflate and discredit an administration that was, in Jefferson's view, "galloping fast into monarchy." They soon had the father of their country in a state of near apoplexy. "That rascal Freneau," as Washington called him, insisted on sending his scurrilous *National Gazette*, published in Philadelphia, to the president's house even after he canceled his subscription. Freneau spent most of his abuse on Hamilton. Bache preferred Washington as a target, calling him "treacherous," "mischievous," "inefficient," and sneering at his "farce of disinterestedness" and his "stately journey through the American continent in search of personal incense."

These verbal guerrillas soon had imitators. Among the more savage was William Duane, Bache's successor as editor of the *Philadelphia Aurora*. Washington, he wrote, had "discharged the loathings of a sick mind." Even this remark was topped by an English newcomer, James T. Callender. In the Richmond *Examiner*, he declared that "Mr. Washington has been twice a traitor."

The Federalists, upholders of upper-class dignity, labored under a difficult handicap in such a war. They soon became afraid, in Washington's words, that "there seems to be no bounds to . . . attempts to destroy all confidence, that the People might, and . . . ought to have, in their government; thereby dissolving it, and producing a disunion of the States." The Alien and Sedition Acts of 1798 were an expression of this fear. Passed by a Federalist Congress with Washington's public approval, the Alien Act gave President John Adams the power to deport any foreigners he deemed dangerous to public peace. The Sedition Act empowered the federal judiciary to punish anyone convicted of false or malicious writing against the nation, the president, or Congress with a fine of not more than \$2,000 and imprisonment for not more than two years.

Federalist judges immediately went to work and soon had indictments against Bache, Duane, Callender, and a dozen other Democratic-Republican editors. The Jeffersonians responded at the state level with the Kentucky and Virginia resolutions of 1798 that declared the Alien and Sedition Acts altogether void and introduced the doctrine of nullification into American con-

stitutional thinking - a seed that would bear ominous fruit in a later era. Up and down the land, Jeffersonian editors bellowed mightily that the Federalists were attempting to erase the First Amendment and destroy the free press.

The Jeffersonian counterattack was beautifully executed: The Federalist judges retreated in disarray and all but abandoned the unpopular prosecutions after a mere ten convictions. The nation roared into the election of 1800 with both sides strenuously exercising their right of free speech. However, except for a few slugging editors, who sneered at "Massa Jefferson" the slave owner, most of the Federalist propaganda came from pulpits, where clergymen pictured the election of the pro-French and "atheistic" Jefferson as the beginning of a Jacobinical reign of terror against religion. In the print shops, the Jeffersonians had the bigger, more vituperative guns. Callender's pamphlet, "The Prospect Before Us," slandered Washington and Adams with such recklessness that it achieved an unenviable literary fame. Although Federalist papers theoretically outnumbered the Jeffersonians, most of them maintained a tepid semi-neutrality that permitted the Democratic-Republicans to run away with public opinion and the election. Defeated John Adams wrote mournfully, "If we had been blessed with common sense, we should not have been overthrown by Philip Freneau, Duane, Callender. . . . A group of foreign liars have discomfited the education, the talents, the virtues, and the property of the country."

But the Federalists were down, not out. Older leaders like John Jay might retire to their estates in dismay, but there were numerous young, vigorous Federalists in the prime of middle life, such as Hamilton and Fisher Ames of Massachusetts, who did not feel it was time for them to abandon politics. They decided Federalism was not dead; it had just been misrepresented, distorted, and smeared without rebuttal. It was time to junk the older Federalist ideas about the vulgarity of appealing to the people through the press. Ames suggested a Latin motto as a guide: *Fas est et ab hoste doceri* ("It is perfectly proper to be taught by one's enemy"). Up and down the Republic, Federalists began founding papers in which, Ames declared, "wit and satire should flash like the electrical fire." At the same time, the paper he helped found, the *New-England Palladium*, would, he

predicted, be "fastidiously polite and well-bred. It should whip Jacobins as a gentleman would a chimney sweeper, at arm's length, and keeping aloof from his soot."

In New York, Alexander Hamilton soon gathered a group of well-heeled Federalists who put up \$10,000 for a daily to be called the *Evening Post* (still in business today as the *New York Post*). Its editor, William Coleman, met Hamilton by night and took down his editorials from the very lips of the great man himself. Throughout the other states, similar papers suddenly blossomed: in Baltimore, for example, the *Republican* or *Anti-Democrat*; in South Carolina, the *Charleston Courier*. In Hudson, New York, another group of Federalists led by Elisha Williams, one of the state's most noted attorneys, backed Ezra Sampson as the editor of *The Balance, and Columbian Repository*. As a junior editor, Sampson hired twenty-two-year-old Harry Crosswell.

Connecticut born, this well-built, dignified young man had studied for a time in the household of Noah Webster, later of dictionary fame and a high Federalist of the old school. (Webster's solution for rampant Jeffersonianism was to raise the voting age to forty-five.) Temperamentally, Harry Crosswell was a born Federalist. He was religious, had a natural deference for older, wiser, wealthier men, and tended to see political developments of the day as a clash between the forces of darkness and light.

Hudson at this time was not the somnolent little river town it is today. In the decade after the Revolution, it carried more ships on its registers than the city of New York. Much of western Massachusetts and northern Connecticut used Hudson for a shipping center. One March day in 1802, a reporter counted 2,800 sleighs loaded with goods on Hudson's streets, creating a traffic jam of prodigious dimensions. At the same time, with Albany, the state capital, a mere twenty-eight miles upriver, it was hardly surprising that Hudson and surrounding Columbia County were politically sensitive areas. Later in the century, one local historian unabashedly claimed that the county had produced more distinguished politicians than any other comparable area in the entire country.

The Jeffersonians were strongly entrenched there. In 1802, the

attorney general of the state of New York was the sharp-eyed, hatchet-faced Ambrose Spencer, a native son of Columbia County. Morgan Lewis, chief justice of the state supreme court, was married to Gertrude Livingston, whose family's vast up-state holdings included a huge chunk of the southern portion of the county. The Livingstons were the most potent voice in the New York branch of the Jeffersonian party at that time.

It was hardly surprising, therefore, that the Jeffersonians decided to set up a rival to the Federalist *Balance*. For their printer, they chose Charles Holt, former editor of the *New London Bee* and a Sedition Act martyr, who had been convicted in 1800 for libel and spent several months in jail. Holt prepared to launch a *Bee* in Hudson and made it clear it would buzz imperpetually in the face of the dignified *Balance*.

Young Harry Crosswell forthwith saw an opportunity to prove his extreme devotion to Federalism. He persuaded his senior editor, Sampson, to let him publish in the garret of the *Balance* office a paper entitled *The Wasp*. As an editorial pseudonym, Crosswell chose "Robert Rusticoat"; for a motto, "To lash the Rascals naked through the world." Down in New York, an observer at the *Evening Post* told the story in doggerel, obviously modeled on "Yankee Doodle."

There's Charlie Holt is come to town

A proper lad with types, sir.

The Democrats have fetched him here

To give the federals stripes, sir.

The Balance-folks seem cruel 'fraid

That he'll pull down their scales, sir.

And so they got a pokerish wasp,

To sting him with his tail, sir.

Crosswell's opening number was nothing less than a declaration of war: "Wherever the Bee ranges, the Wasp will follow over the same fields and on the same flowers.