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A Study in Virginia Politics: The Virginia House of Delegates, 1794-1796

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A STUDY IN VIRGINIA POLITICS:
THE VIRGINIA HOUSE OF DELEGATES, 1794-1796

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ABSTRACT

By 1794, the Virginia House of Delegates had experienced many subtle changes. Although many pre-Revolutionary procedures were still being followed, the composition of the House differed considerably from the old House of Burgesses. Many of the Delegates were rich and well-born, yet a striking number were not. The House leaders were noted not so much for their great wealth or important family connections as for their proven ability and accomplishments in the House.

Voting behavior in the Virginia House of Delegates on state and local issues was no longer guided by sectional interests. By 1794, Virginia had become a relatively homogeneous area; attitudes toward local issues were determined by Delegate's individual interests or by the particular merits of a bill in question.

During the 1794-96 period, the House was outspoken in its opposition to the Federalist Administration's policies. This opposition focused on the Jay Treaty and the Treaty became a rallying point for the pre-existing Republican sentiment. Virginia Federalists, although not particularly enthusiastic about the Treaty, felt it necessary to offer a perfunctory defense of the Administration's actions. Never strong in pro-Republican Virginia, the Federalist position was further weakened by their defense of the unpopular Treaty.

The nature of the two political parties in Virginia differed from those on the national level. Republicans in Virginia were often less moderate than those in Congress; Federalists in Virginia were less ardent in their support of Hamiltonian policies than were their counterparts in the North. Neither party had attained any great degree of organization on the state level. The Republicans failed to organize effectively because they had no positive program. The Federalists failed because they were too few in number and too often reluctant to be branded as Federalists in an overwhelmingly Republican state.

Despite organizational weakness however, attitudes toward national issues in Virginia were distinctly determined by the agrarian, Republican outlook.

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INTRODUCTION

Historians writing on the early national period have invariably focused their attention on the new national government and the actions of the people in it. There is a disadvantage to this approach—it has tended to obscure the differences that existed between leadership on the national level and the rank and file on the state level. It has equated Virginia Federalism with Washington and Hamilton, Virginia Republicanism with Jefferson and Madison. These equations are valid to an extent, but a study of Virginia politics on the state level indicates that these generalizations can distort as well as illuminate.

Although the actions and procedures of the Virginia House of Delegates occupy much space in the following pages, the House itself is not the primary concern here. It is only important in that it furnishes a glimpse of political behavior throughout all Virginia during the 1794-96 period. A survey of the House of Delegates yields many things which a survey of national leaders does not. Delegates were much more representative of people in the state. They spent ten months of every year in the county they represented and were more subject to the pressures and feelings of their own constituents than were the more remotely-located Virginia Congressmen. Likewise, while Virginians in Congress numbered nineteen, the members of the House of Delegates numbered 180, thus offering a larger and more accurate cross-section of the state as a whole.

The following assessment of Virginia politics is broken down into four parts. First, House composition will be studied in order to gain some insight as to the type of men who represented Virginia on the state level. Second, the House Delegates' attitudes toward state and local issues will be investigated. This facet of Virginia politics is important because it shows the harmony of interest which existed among the various sections in regard to the internal affairs of the state. Third, the principal national issues that affected popular opinion in Virginia during the 1794-96 period will be discussed. The subsequent debates and votes on those issues give a clear picture of party composition and party strength. Finally, there will be an attempt to draw some tentative conclusions on the nature and implication of Virginia political thought during the 1794-96 period.

CHAPTER I

THE VIRGINIA HOUSE OF DELEGATES, 1794-96: ITS STRUCTURE AND LEADERSHIP

The Virginia House of Delegates, an annually-elected body, was composed of two representatives from each county in the state, with the cities of Norfolk, Richmond and Williamsburg entitled to one delegate each.[1] According to the Bill of Rights of the Virginia Constitution of 1776 the "right of suffrage in the election of members for both Houses shall remain as exercised at present."[2] This meant that the Delegates were chosen by those citizens "possessing an estate for life in one hundred acres of uninhabited land, or twenty five acres with a house on it, or in a house or lot in some town."[3]

The Delegates were apportioned by county rather than by population, but the practical effect was much the same. Although there were often great disparities between individual counties (the

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[1] Earl G. Swem and John W. Williams, A Register of the General Assembly of Virginia, 1776-1918 and of the Constitutional Conventions (Richmond, 1918), 43-47.

[2] The Constitution of Virginia, 1776, in The Federal and State Constitutions, Colonial Charters and other Organic Laws of the States, Territories and Colonies Now or Heretofore Forming the United States of America, ed. Francis N. Thorpe (Washington, 1909), VII, 3816.

[3] Thomas Jefferson, "Notes on Virginia," in The Life and Selected Writings of Thomas Jefferson, eds. Adrienne Koch and William Peden (New York, 1944), 235.

southeastern county of Warwick had a population of 100 "fighting men" while the northern county of Loudon had 1700),[4] representation from the two sections of the state was roughly proportional to their populations. The eastern coastal region, with an area of 11,205 square miles and a population of 18,012 "fighting men," had a total of seventy-one Delegates, while the western counties, with an area ten times as great and a population of 28,959 "fighting men," had seventy-eight Delegates.[5] What disproportion that did exist between the sections was gradually being corrected by the division of larger western counties.[6]

All bills originated in the House of Delegates; the Senate had the power to approve or reject all except money bills. The House and Senate, voting jointly by secret ballot, elected the governor and attorney general annually, all state judges, and the two United States Senators.[7] The total votes received by the candidates for these important positions were not officially recorded, but members of the special committees counting the ballots usually were willing to share their knowledge with the other Delegates.

The opening day of the 1794 House Session, as in all sessions between 1794 and 1796, commenced with the choice of a Speaker. The vote

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[4] Ibid., 237.

[5] Julius F. Prufer, "The Franchise in Virginia from Jefferson through the Convention of 1829," William and Mary Quarterly, 2d Ser., VII, 265.

[6] In 1793 the counties of Madison, Lee, and Grayson were formed out of the larger western counties. For the chronology of the formation of Virginia counties see J.R.V. Daniel, A Hornbook of Virginia History (Richmond, 1949), 21-26.

[7] Prufer, "The Franchise in Virginia," 256.

in the election of the Speaker was not recorded in the House journal. John Wise, Speaker from 1794-98, made all appointments to the legislative and standing committees.[8] The Speaker voted only in the case of a tie vote;[9] there were none during the sessions of 1794-96.

The work of the various legislative and standing committees was of primary importance in the day-to-day operations of the House. Most House business was accomplished by voice vote approval of the committee's recommendations. It was extremely rare for the committees' recommendations to be overruled by voice vote. Roll call votes were only taken when there was enough opposition on the voice vote to cause doubt as to which side had carried the question. The weight given to the committees' judgment is shown by the fact that the House resorted to roll call votes only thirty-five times during the 1794-96 period.[10] Because of the important role of the committees in the business of the House, a study of their functions and personnal provides useful information about both the actual workings and the pattern of leadership of the House.

The five standing committees conducted the bulk of the routine business of the House. These committees were so large that every Delegate was assigned to at least one. The Committee of Propositions and Grievances was the largest and the most important in terms of its actual law-making power. It received reports and complaints from citizens of the various counties asking for amendment, enactment, or repeal of a law. It also had to act on the routine complaints lodged

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[8] Journal of the House of Delegates, Nov. 12, 1794.

[9] Ibid., Dec. 8, 1792.

[10] Ibid., 1794-96.

by citizens against their local government officials. Its business took up the major share of the time of the House, and at its recommendations the House appointed many of the special legislative committees. [11]

The Committee of Claims considered and passed on all claims filed by both counties and individuals against the state. It was second in size and power only to the Committee of Propositions and Grievances. It is interesting to note that as late as 1796, most of the Committee's work dealt with Revolutionary War claims. [12]

The primary function of the Committee of Courts of Justice was to examine the petitions and claims coming into the House and decide whether they should be acted on by the House or delegated to the state courts. If it was decided that the petition or claim fell under the House's jurisdiction, it would then be sent to the appropriate standing committee for further scrutiny. This committee differed from the Committee of Claims and the Committee of Propositions and Grievances in that it was only concerned with the disposition of petitions and claims, and did not make final judgments as to their validity. The importance of this committee and the tremendous volume of work imposed on many of the standing committees is illustrated by the comments of Delegate Thomas Evans.

> Our session began as those which you have formerly attended with multitudes of petitions from every part of the country, some perhaps reasonable, more unreasonable and some intolerable, requesting us at the same time to become judges instead of legislators, and at another to take an absolute power over the rights of property, to divest some and invest others. Our Speaker, Mr. Wise . . .took care to refer those extraordinary requests to the Committee of Courts of Justice, where

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[11] Ibid., Nov. 15, 24, 1794.

[12] Ibid., Nov. 19, 1794, Nov. 18, 1796.

they undergo a strict scrutiny upon the principles of the Constitution, whether they pertain to the judiciary or legislative departments. [13]

The Committee of Religion had the responsibility of taking "under their consideration all matters and things relating to religion and morality." In practice this meant that it saw to it that no House business was being conducted during the morning prayer and that all petitions for divorce were carefully scrutinized and decided upon. The sheer volume and extravagant language of the divorce petitions must have resulted in many difficult hours for the Committee of Religion. [14] The Committee of Privileges and Elections, so important in the colonial House of Burgesses, lost much of its importance with the disappearance of the imperial authority as a threat to parliamentary privilege; the lack of disputes involving the certification of elections during this period left it with little to do. [15]

In addition to the five standing committees there were a number of special committees appointed during the session. There were usually between sixty and eighty of these each session and they varied in importance from a "Committee to prepare estimates of the expenses of Civil Government, and of the public debt, and to report their opinion of the provision which ought to be made for the support of the government and the payment of the public debt" to the committee to prepare a "bill establishing for the inspection of indian meal within the Commonwealth." [16]

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[13] Thomas Evans to John Cropper, Nov. 30, 1794, John Cropper Papers, Virginia Historical Society, Richmond.

[14] House Journal, Nov. 19, 1794, Nov. 18, 1796.

[15] Ibid., Nov. 9, 1796. For the importance of parliamentary privilege prior to the Revolution see Mary P. Clarke, Parliamentary Privilege in the American Colonies (New Haven, 1943) passim, and Jack P. Greene, The Quest for Power: The Lower Houses of Assembly in the Southern Royal Colonies, 1689-1776 (Chapel Hill, 1963), 212-216.

[16] House Journal, Nov. 16, Dec. 8, 1795.

The composition of all the committees of the House was left to the discretion of the Speaker. While a long term of service in the House was often indicative of a Delegate's capabilities, the Speaker exercised his function without regard to strict priorities in seniority. In 1795, Wilson Miles Cary, who had not served in the House since 1781, was appointed chairman of the Committee of Religion and William Callis, who had missed the 1794 session, was appointed chairman of the Committee of Claims. Likewise, John Taylor of Caroline, after resigning his Senate seat in 1794, was appointed chairman of the Committee of Religion during the 1796 session. [17]

Although party sentiment was often evident during the 1794-96 sessions, it does not appear to have been an important factor in the appointment of committee chairmanships. Speaker Wise, a man of known Federalist sentiments, [18] does not seem to have placed much importance on party labels when making appointments. During the three-year period, nine different men hold the chairmanships of the five standing committees. Of these, Robert Brooke (elected Governor in the last month of the 1794 session), William Callis, Joseph Eggleston, William McKee, John Taylor, and Nathaniel Wilkinson were all aligned with those in opposition to the Jay Treaty and in agreement with the policies of James Madison, Stephens Thomson Mason, and Henry Tazewell. The remaining three chairmen, Robert Andrews, Wilson Miles Cary, and Miles King, endorsed the Jay Treaty and favored the policies of the Federalist administration

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[17] Swem and Williams, Register of the General Assembly, 272; House Journal, Nov. 11, 1795, Nov. 9, 1796.

[18] Thomas Jefferson to Wise, Feb. 12, 1798, in Virginia Magazine of History and Biography, XII, 257.

in the nation's capital.[19] These nine standing committee chairmen were also very active in all of the work of the House and participated in all levels of committee work.

Because committees played such an important role in the conduct of the House business, their composition should reflect the power structure of the House. An analysis of participation in all levels of committee work during the sessions of 1794-96 indicates that a group of sixteen Delegates assumed conspicuously important roles in the affairs of the House.[20] Six of the nine standing committee chairmen are included in this group. The three not included, Brooke, McKee, and Wilkinson, are excluded because they only served in the session of 1794.[21]

The sixteen House leaders, like the nine standing committee chairmen, were rather evenly split in their political sentiments. An analysis of their voting behavior on questions of national importance and records of their later political activities produces a clear picture of their political leanings. Of the sixteen, six—Robert Andrews, Carter Braxton, Jr., Thomas Evans, Miles King, John Marshall, and Wilson Miles Cary—voted together with a consistency of at least seventy-five per cent on issues of national significance and by their voting patterns can be classified as leaders of the Federalist voting bloc in the House.[22] John Wise, although not able to vote in his

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[19] House Journal, Nov. 12, 1794, Nov. 11, 20, 1795, Nov. 9, 1796.

[20] See Appendix I.

[21] Swem and Williams, Register of the General Assembly, 43-47.

[22] See Appendix II.

capacity as Speaker of the House, may also be identified as one of the pro-Federalist leaders.[23] Six of the sixteen House leaders—William Callis, Joseph Eggleston, John Guerrant, Alexander McRae, Thomas Madison, and Wilson Cary Nicholas—consistently voted in favor of policies endorsed by the Republican leadership on the national level.[24] John Taylor of Caroline did not cast enough votes to be compared with the other fifteen, but it is safe to assume from his political activities at the time that he was solidly entrenched in the Republican camp.[25] The remaining two House leaders, Archibald Magill and William Tate, showed no marked party sentiments in either their voting or their public pronouncements.

If the analysis of voting behavior accurately reveals the party sentiments of the leaders of the House of Delegates, then clearly the Speaker of the House did not exercise his appointive power in a manner that penalized or promoted party sentiment or activity in either camp. It is also important to note that party labels have been affixed to the members of the House leadership on the basis only of their voting behavior on political questions of national importance. At best, the voting record can indicate party sentiment and cannot be taken as evidence of the presence of party organization. The question of party organization in the House of Delegates will be dealt with in a later chapter.

Although half of the leaders of the House came from the eastern coastal area, their number was not greatly disproportionate to

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[23] Jefferson to Wise, Feb. 12, 1798, in Virginia Magazine, XII, 257.

[24] See Appendix II.

[25] John Taylor, Definition of Parties; Political Effects of the Paper System Considered (Philadelphia, 1794), 1-16.

the population of that area. The Tidewater region, extending from the most southerly portion of the James River northward to the Rappahanock and from the Chesapeake Bay to the fall line, contributed eight men to the leadership ranks—Robert Andrews, Carter Braxton, Jr., Wilson Miles Cary, Thomas Evans, Miles King, John Marshall, John Taylor, and John Wise. The Piedmont area, running from the fall line to the crest of the Blue Ridge Mountains, was represented by five men in the House leadership—William Callis, Joseph Eggleston, John Guerrant, Alexander McRae, and Wilson Cary Nicholas. The remainder of western Virginia, a vast expanse of land encompassing all land west of the Blue Ridge Mountains to the borders of the Ohio and the new state of Kentucky, had three men among the leadership of the House—Archibald Magill from the north and Thomas Madison and William Tate from the extreme southwest.[26] Given the stage of settlement of the state at the time, the House leadership group was relatively evenly distributed throughout the state.

Most studies of Virginia politics have taken great pains to point out the important part played by family ties in men's rise to political power. Of the leadership group under consideration in this study, Carter Braxton, Jr., William Callis, Wilson Miles Cary, Thomas Madison (the son-in-law of Patrick Henry), Wilson Cary Nicholas, and John Wise all had illustrious family lineages.[27] President Zachary Taylor would make the family name of John Taylor more prestigous in years to come, but for the moment his most important family connection

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[26]See Appendix III.

[27]Lyon G. Tyler, Encyclopedia of Virginia Biography (New York, 1915), II, 5, 48, 364; William and Mary Quarterly, 1st Ser., IX, 59.

was his brother-in-law, Edmund Pendleton.[28] Albert Beveridge's overly-sentimental account of The Life of John Marshall gives a rather confusing picture of the social standing of the Marshall family. On the one hand, Marshall was the great-great-grandson of William Randolph, but on the other, he was born in a small log cabin and reared in "his home-made cradle."[29] If Marshall's distant family heritage was strong enough to offset his humble origins, then the total number of leaders from prominent families is eight. The other eight leaders had no notable family connections,[30] and there were many Delegates not in positions of leadership who did have impressive family ties, such as, for example, William Cabell, Jr., William Bowyer, Collier Harrison, Charles Lee, Henry Lee, and Francis Corbin.[31]

Although the exact relationship between family ties and political power in Virginia after the Revolution is unclear, the relation between the two could easily be overemphasized. This is not because of the lack of such ties, but because of their very multitude. The intermarriage between the many branches of the prominent families (and the newer, increasingly

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[28]Tyler, Virginia Biography, II, 88.

[29]Albert J. Beveridge, The Life of John Marshall (New York, 1916), 6-9.

[30]It is more difficult to prove that men did not have prominent family connections than it is to prove that they did, as the absence of information attesting to distinctive heritages is not irrefutable proof that they lacked such connections. The evidence of their lack of family connections is based on genealogies discovered in Tyler, Virginia Biography, II, 102, 232, 363, 365; Robert A. Stewart, Index to Printed Genealogies including Key and Bibliography (Richmond, 1930); Tyler's Quarterly Historical and Genealogical Magazine (all volumes); Virginia Magazine of History and Biography (all volumes); and William and Mary Quarterly, 1st and 2d Ser., (all volumes).

[31]Swem and Williams, Register of the General Assembly, 43-47.

prominent families) had become so widespread by the 1790's that the number of those included in the circle of Virginians with an impressive genealogy had become legion. The ties had so multiplied that to be a Cabell or a Lee was no longer an important distinction. A politician from a prominent family seeking to capitalize on his family connections might find that he had stiff competition not only from those of less prominent birth, but from distant relatives of his own family as well.[32]

Although a thorough survey of the occupational and economic interests of the sixteen Delegates has not been attempted, the secondary sources dealing with the Confederation period offer some clues as to their holdings. Although it is probable that the fortunes of the House leaders underwent some change between 1788 and 1794 (most likely for the better), these studies are suggestive of their interests.

Three men, Wilson Miles Cary, Wilson Cary Nicholas, and John Taylor, were extremely wealthy. Cary owned over 11,000 acres of land and 286 slaves. Nicholas owned 7,100 acres of land and 62 slaves. Taylor had land holdings of almost 13,000 acres and owned 47 slaves.[33] A fourth leader, Carter Braxton, Jr., might also be added to the list of the affluent. Although he spent most of his time at his job as Attorney for King William County, he was also heir to his father's sizeable estate of 8,500 acres and 91 slaves.[34]

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[32]David Mays, Edmund Pendleton, 1721-1803, A Biography (Cambridge, Mass., 1952), II, 391.

[33]Jackson Turner Main, "The One Hundred," William and Mary Quarterly, 3d Ser., XI, 373, 379, 383.

[34]Ibid., 370; Frederick Horner, The History of the Blair Bannister and Braxton Families (Richmond, n.d.), 137.

Four House leaders were planters of more moderate means. William Callis owned 660 acres in Louisa County, an additional 4,000 acres in Kentucky as a bounty for military services, and 10 slaves. John Guerrant owned 636 acres in Goochland County and 15 adult slaves.[35] Joseph Eggleston owned a "small" plantation in Amelia county.[36] Thomas Madison inherited a 2,000 acre tract in Botetourt County and owned 50 slaves.[37]

Four of the House leaders were lawyers. John Marshall owned a town house in Richmond, 4,000 acres in Kentucky, and had an income of about $2,000 per year.[38] Although the incomes of Thomas Evans and John Wise are not known, Evans is recorded as owning eight slaves, Wise one.[39] Nothing is known of the holdings of the remaining lawyer, Alexander McRae.

Robert Andrews, a former minister and professor of moral philosophy at the College of William and Mary, owned two town lots in Williamsburg and no slaves. Miles King, a physician, owned half a town lot in Elizabeth City, 604 acres of land scattered throughout the state, and twelve slaves.[40]

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[35]Forrest McDonald, We the People: The Economic Origins of the Constitution (Chicago, 1958), 272, 279.

[36]Tyler, Virginia Biography, II, 107; Philip E. Bruce, "The Cocke Family of Virginia," Virginia Magazine, V, 168.

[37]Lyon G. Tyler, "Chart Pedigree of the Madison Family," William and Mary Quarterly, 1st Ser., IX, 37.

[38]McDonald, We the People, 270; Beveridge, Life of Marshall, II, 170.

[39]Augusta Fothergill and John Naugre, Virginia Taxpayers, 1782-87 (Richmond, 1940), 41, 139.

[40]McDonald, We the People, 272.

This admittedly fragmentary survey of the economic interests of the House of Delegates leadership does not seem to indicate any sort of well-entrenched aristocracy based on wealth. Although many of these men had relatively large holdings in land and slaves, their wealth was not spectacular when compared to many of their Virginia contemporaries.[41] Equally striking is the variance between the wealth of these men and their counterparts in the Virginia House of Burgesses. Jack P. Greene's study of the "Foundations of Political Power in the Virginia House of Burgesses, 17. -1776," the methodology of which has been invaluable to this study,[42] found that almost three fourths of the identified leaders of the Virginia House of Burgesses between 1720-76 had land holdings in excess of ten thousand acres. Only one man out of the 110 men studied had a holding of less than five hundred acres.[43] On the basis of the findings presented in this paper, it would be safe to say that the leadership of the House of Delegates enjoyed no such affluence.

The composite picture of leadership in the House of Delegates tends to show the continuing evolution of Virginia politics. Although the procedure and formal structure of the House varied little from that of the old House of Burgesses,[44] there were gradual but notable changes in the characteristics of the personnel. The leadership was extending westward; the Piedmont area began to play an increasingly prominent part in the power structure of the House. Greene's study placed heavy emphasis

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[41] Ibid., 269-281; Main, "The One Hundred," 354-384.

[42] Jack P. Greene, "Foundations of Political Power in the Virginia House of Burgesses, 1720-1776," William and Mary Quarterly, 3d Ser., XVI, 485-506.

[43] Ibid., 487.

[44] S.M. Pargellis, "The Procedure of the Virginia House of Burgesses," William and Mary Quarterly, 2d Ser., VII, 73-86, 143-157.

on wealth and family connections as prerequisites for political prominence.[45] The study of these factors in the mid-1790's suggests a noticeable decline in their over-all importance. Family position and family ties were by no means either a prerequisite or a guarantee of political success. Wealth was still an important factor insofar as it provided the means with which to conduct a campaign and to devote one's time to politics, but political office was not confined to those of great wealth. Perhaps the most important qualification for leadership was the interest and ability which enabled these sixteen men to act effectively on the important state and national political issues of the time.

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[45]Greene, "Political Power in the House of Burgesses," 487-490.

CHAPTER II

STATE AND LOCAL ISSUES

The issues affecting the internal affairs of the Commonwealth of Virginia underwent little change between 1776 and 1794. The recurring problems—raising the public revenue, providing for internal improvements, reform of the state constitution, and the distribution of the glebe lands of the Episcopal Church—were still present and still creating controversy. On the surface it would seem that these issues, being primarily of only local and statewide importance, would offer excellent clues to the sectional nature of political behavior within the state.

Charles Henry Ambler, in his study of Sectionalism in Virginia from 1776 to 1861, found that political divisions in Virginia were dominated by a split between the interests of those in the east and west; more specifically, "between the newer society of the Piedmont and that of the older and more aristocratic Tidewater."[1] Ambler maintained that the older Tidewater section "neither understood nor appreciated" the needs of the newer section. They virtually ignored the western petitions for roads, bridges, improved navigation of rivers, and provisions for more adequate defense on the western borders.[2]

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[1]Charles Henry Ambler, Sectionalism in Virginia from 1776 to 1861 (Chicago, 1910), 4.

[2]Ibid., 5.

Jackson Turner Main has challenged this traditional interpretation of a Tidewater-Piedmont division and has attempted to show that the most meaningful division in Virginia was between the Northern Neck and Southside regions.[3] Neither the Northern Neck and its allies nor the Southside and its allies were contained in any one, compact area. The geographic names given to the two regions serve more for the purpose of identification than for an accurate description of their geographic locations.[4] Although geographic factors were often a determinant in a county's classification in either of Main's two blocs, the economic position of the county within the state was the major factor in its classification as a Southside or Northern Neck county. According to Main, the Northern Neck counties were characterized by a wealthy aristocracy controlling a large share of the wealth and property, a high percentage of tenant farmers, a small middle class, and a favorable position on the coastlines of the rivers and bays of the state. The Southside was characterized by a larger middle class, a large number of medium-sized farms, and fewer tenants.[5]

The divisions discovered by Ambler and Main both existed, but at varying times in varying degrees. On the basis of the political

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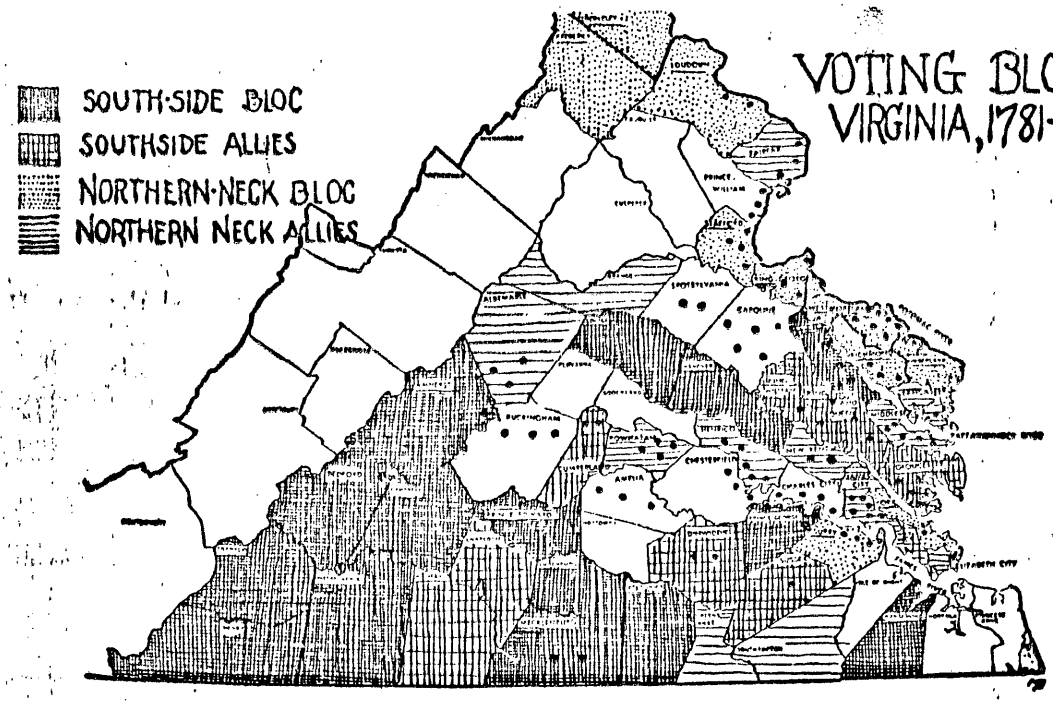
[3] Jackson Turner Main, "Sections and Politics in Virginia, 1781-87," William and Mary Quarterly, 3d Ser., XII, 96-112. It is important to note that the terms "Northern Neck" and "Southside" when used in the body of the paper, will refer exclusively to Main's economic-geographic blocs. Not all Virginia counties are included in Main's Northern Neck-Southside division, so the number of Northern Neck and Southside Delegates voting on a given issue will not necessarily correspond with the total number of votes cast.

[4] See Appendix IV on the following page.

[5] Main, "Sections and Politics in Virginia, 1781-87," 97-98.

APPENDIX IV



VOTING BLOCS IN VIRGINIA, 1781-1787

behavior of the House of Delegates of 1794-96 it would be erroneous to say that either such division was the dominant factor in the decisions on state issues, although the evidence tends more to uphold Main's findings than Ambler's. The responses of the House to individual issues reveal that diversity, rather than sectional uniformity, was the rule in 1794-96.

The problem of raising the public revenue involved more than the usual fight over what the budget should be. Once the expenses of government were estimated, the taxes had to assessed, and more important, they had to be collected. Collecting taxes was perhaps the most difficult, for it involved dealing with counties which were in arrears and encouraging county sheriffs to be more diligent in their role as tax collectors.[6]

By 1794, to some it seemed "generally agreed that the taxes must be raised, perhaps 50%—our treasury has been totally destitute."[7] The tax rate, however, was not raised at all between 1793 and 1796. Taxes continued to be assessed at the rate of $0.25 for each one hundred dollars worth of land, $0.28 for each slave over twelve years of age, $0.06 for each horse, colt, or mule, and $2.78 for every one hundred dollars accrued in rents from houses and lots in towns. The eighteenth-century version of the "soak the rich" scheme was confined to a tax on billiard tables, a whopping fifty dollars.[8]

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[6] Albert O. Porter, County Government in Virginia, A Legislative History, 1607-1904 (New York, 1947), 201-205.

[7] Thomas Evans to John Cropper, Nov. 30, 1794, John Cropper Papers, Virginia Historical Society.

[8] Samuel Shepherd, Statutes at Large of Virginia, 1792-1806, Being a Continuation of Hening's Statutes at Large (Richmond, 1835), I, 224; II, 14.

The only attempt to raise tax rates came in 1794 when an amendment was offered for an increase of all taxes by 25 per cent. The amendment was defeated by a two to one margin. Of the forty-nine votes cast by Eastern Delegates, twenty-four or less than half, were in favor of the increase. Of the eighty-eight votes cast by Western Delegates, only twenty-two, a quarter, favored the increase. Twenty of the thirty-three Delegates representing the Northern Neck strongholds favored the increase, while only eight of the forty-five Southside Delegates favored it.[9] In view of these divisions it appears that the split between Northern Neck and Southside was the sharper. The sharpness of the division, however, is considerably blunted by the fact that there was substantial opposition to the amendment from all sections of the state and by the sizeable margin by which the bill was defeated.

The opposition of Southside Delegates to the tax increase is probably best explained by their attitude toward taxation in general, as there is no sign that they were burdened with a disproportionate share of the taxation. It is more likely that the Southside counties, and particularly those of the extreme southwest, saw little advantage for them in a general increase in taxes.

The fact that the Southside was generally opposed to higher taxes did not mean that they would automatically rally to the support of a Southside county having difficulty meeting the existing tax burdens. A bill for the "relief of Washington and Botetourt Counties respecting their arrears in taxes," both in the extreme southwest, was passed in the House, but only fifteen Southside Delegates supported

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[9] House Journal, Dec. 11, 1794.

the bill, while nineteen of them opposed it. The West favored the bill by a margin of slightly less than two to one, and this, coupled with the support of almost 40 per cent of the Eastern Delegates, enabled its passage.[10]

The vote on the issue of tax arrears cannot be categorized along neat, sectional lines, and the explanation for the bill's support must be found elsewhere. Perhaps a more reasonable, if simplistic, explanation of this crossing of sectional lines lies in the circumstances that caused counties to fall behind in their tax payments. Recalcitrant taxpayers and incompetent sheriff-tax-collectors were not confined to any one section and it was these factors, not the unfavorable position of counties within the tax structure, that caused the arrears.[11] Although there are no printed records of delinquent counties for 1794, those for 1789 indicate that no one section had a spotless record for prompt tax payment. Of the thirty-six counties behind in their taxes in 1789, seventeen were Eastern and nineteen Western. The Northern Neck and Southside each had ten counties listed in the ranks of the negligent.[12] It seems probable that the individual county's ability to collect taxes on time determined its delegates voting behavior on this issue.

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[10] Ibid., Dec. 2, 1795.

[11] Porter, County Government in Virginia, 201-206.

[12] A List of Balances Due from the Several Counties for Taxes from the Year 1782-1790, Inclusive (Richmond, 1790), 4.

Although the Virginia delegation to Congress had voted against the establishment of the United States Bank in 1792,[13] by 1795 Virginians realized that the Bank was there to stay and felt that they might as well reap what benefit they could from it. Accordingly, in 1795 the House of Delegates passed, by the wide margin of 92-38, a bill authorizing "the establishment of one or more branches of the United States Bank." Thirty-one of the thirty-eight negative votes were cast by Western Delegates. It is most likely that the Western opposition to the bill came from a combination of two factors; their traditional distrust of all banks and the realization that if and when a United States branch bank was established it would undoubtedly be located in one of the Eastern towns. Even so, the vote on the United States Bank cannot be called sectional, since more westerners supported the bill than opposed it.[14]

Once the establishment of a United States branch bank had been agreed upon, the problem of its exact location arose. A bill to establish the branch in the town of Norfolk was defeated in the House 83-57. Once again, it was not a strict East-West or Northern Neck-Southside division that defeated the bill, but a combination of dissatisfied Delegates. The thirty-eight Delegates who had opposed the establishment of any branch of the United States Bank regardless of the location were now joined in their opposition by Delegates from other parts of the state who did not want the Bank in Norfolk. The

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[13]Noble E. Cunningham, Jr., The Jeffersonian Republicans, The Formation of Party Organization, 1789-1801 (Chapel Hill, 1957), 9.

[14]House Journal, Dec. 8, 1795.

areas with the strongest support for the Norfolk bank, the East and Northern Neck, split almost evenly on the issue, with the East favoring the Norfolk bank by a scant five votes and the Northern Neck by six votes. The towns of Alexandria and Richmond would have liked to have had the bank located in their area, and it is apparent that the Delegate's representing counties near those towns played a sizeable role in the defeat of the bill.[15] The various sections of the state continued to disagree about the location of the bank until 1801, when it was finally decided to establish the branch in Norfolk.

It has been said that the East was too often oblivious to Western demands for internal improvements. A bill for westward extension of navigation of the Appomatox River was defeated in the House in 1796, but the opposition was not limited to any one area.[16] The vote, in fact, was so split throughout all sections that it defies any kind of sectional categorisation. It was neither an East-West nor Northern Neck-Southside division, and in many cases counties lying on or near the Appomatox River themselves opposed the project.[17] It can only be inferred that the Delegates studied the merits of this particular method of improving the commerce facilities of the state and found them to be lacking. This inference is supported by the way the House Leadership voted on the bill. This group, roughly representative of the whole state geographically, was probably in a better position to view the merits of the proposal dispassionately, being less dependent on the whims

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[15] Ibid., Dec. 15, 1796.

[16] Ibid., Nov. 18, 1796.

[17] Delegates representing the counties of Cumberland, Dinwiddie, and Powhatan voted against the bill. All three of these counties were situated on the banks of the Appomatox River.

of their constituents due to their well-established position in the House. Of the ten House leaders voting on this issue, nine were opposed.[18]

Ever since the disestablishment of the Episcopal Church in 1776, there had been constant, although unsuccessful, agitation to divest the Episcopal parishes of their land holdings. The impetus behind this agitation stemmed from a growing desire for a strict separation of church and state and from the increasing inability of the parishes to use the glebe lands for the effective care of the poor. When an individual parish became incapable of discharging its duties, the Assembly was able to force the sale of its lands, but all attempts to force a statewide sale of the glebe lands failed.[19]

In 1795 the issue of the glebe lands came up once again. Delegate Thomas Evans opposed their sale "upon the principle that they are private rights vested in bodies corporate and capable of holding such rights, and it is beyond the power of the legislature to divest them."[20] The Baptists, Presbyterians, and Methodists of the West felt differently. They believed that the money obtained from the sale of the lands could be more profitably used for the purpose of educating and overseeing the poor.[21] To achieve these ends, the Baptist General

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[18] House Journal, Nov. 18, 1796.

[19] Robert Usry, The Overseers of the Poor in Accomac, Pittsylvania and Rockingham Counties, 1787-1802 (unpubl. M.A. thesis, College of William and Mary, 1960), 1-7.

[20] Thomas Evans to John Cropper, Nov. 30, 1794, John Cropper Papers, Virginia Historical Society.

[21] Mays, Edmund Pendleton, II, 337.

Committee brought before the House a petition "praying a repeal of the laws confirming to the Episcopal Society the Glebe lands in this commonwealth." Their petition was rejected by a narrow margin, 70-63, and it is in this vote that the division between East and West is most pronounced, since most Episcopalians lived in the East, while the dissenting Protestant denominations were confined largely to the West. Of those favoring the sale of the glebe lands, sixty came from the West and only three from the East. The forty-seven Eastern Delegates who opposed the sale of the glebe lands depended upon the twenty-three Western supporters of the Episcopal church for their success.[22] Time was running out for the supporters of the Episcopal church, however, and by 1801 the Baptists, Methodists, and Presbyterians had mustered enough strength to affect the statewide sale of the glebes.[23]

Before the close of the 1796 session the House took action on a problem that had been discussed since 1776: the amending of the State Constitution. Thomas Jefferson, long a potent force behind the drive to modify the Constitution, and other advocates of Constitutional change saw three defects directly related to the House of Delegates. First, they objected to the property qualification for voters and demanded that all those "who pay and fight" for the support of the government should be entitled to vote. Second, they felt that the mode of representation in the House of Delegates was unfair and that representation should be apportioned by population, not two to each county. Third, they felt that there was not an adequate separation of powers between the three branches of government, that the judicial

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[22] House Journal, Nov. 26, 1795.

[23] Hays, Edmund Pendleton, II, 340.

and executive branches were becoming too dependent on the will of the legislature.[24] To remedy these defects the House "resolved, that it be recommended to the people to take into their consideration, the present Constitution or form of Government and to instruct the next legislature to call a convention for revising and amending the same."[25] The vote on the resolution was 86-55 and the Senate promptly agreed to it.[26] Although the people never did instruct the next legislature to call a constitutional convention,[27] the issue is nevertheless important because the proposed convention would have had direct effect on the political power of the House membership.

In the vote on the resolution to call a constitutional convention, the Southside Delegates were nearly evenly split, with twenty-four favoring it and twenty opposing. The Northern Neck Delegates favored the bill by a margin of slightly less than two to one, twenty-three to thirteen. With both sides favoring the resolution and with the relatively even split on the issue in both sections (bearing in mind that the resolution was passed by an eight-five margin), it is apparent that

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[24] Thomas Jefferson, "Notes on Virginia," in The Life and Selected Writings of Thomas Jefferson, Koch and Peden, eds., 236-237; J.N. Brenaman, A History of Virginia Conventions (Richmond, 1902), 43.

[25] House Journal, Nov. 28, 1796.

[26] Ibid., Dec. 10, 1796.

[27] A convention was not called until 1829 and that convention adjourned without having appreciably changed any of the provisions which the advocates of the Convention desired. The voting requirements and mode of representation remained virtually unchanged. See David J. Pulliam, The Constitutional Conventions of Virginia from the Foundation of the Commonwealth to the Present Time (Richmond, 1901), 63-70.

the Northern Neck-Southside division was not an important factor in the agitation for constitutional change.

The Western counties were clearly in favor of the resolution, voting fifty-eight to twenty-five in favor of it. The Eastern counties narrowly opposed the resolution, voting twenty-eight to thirty against it. The Western vote clearly carried the resolution, but the substantial support for it by Eastern Delegates and the sizeable opposition from some Western Delegates does not suggest a sectional struggle over constitutional reform. There is some indication, in fact, that the vote on the resolution reflected the political position and prospects of individual Delegates. The more well-entrenched Delegates seem generally to have opposed the resolution, while those less secure in the House favored it. Those who had served in the House all three years of the 1794-96 sessions tended to vote against the resolution, but by a very narrow margin. The House leadership group, probably the most secure of all the Delegates, overwhelmingly opposed the resolution by a margin of ten to three.[28]

Clearly, political responses to individual issues did not always fall along neat, easily discernible lines. The voting pattern on local issues as a whole is not much clearer. An analysis of the voting behavior on local issues of the sixty-seven men who served in all three sessions from 1794-96 produces two major divisions; Group I, the Thomas Evans Voting Bloc, consisting of those men who agreed with Thomas Evans at least 70 per cent of the time on the twenty-six local issues; Group II, the Joseph Chaffin Voting Bloc, consisting of those men who agreed with Delegate Joseph Chaffin at least 70 per cent of the

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[28] House Journal, Dec. 28, 1796.

time.[29] Group I included eleven Eastern and eight Western Delegates. The Northern Neck-Southside division was more pronounced--nine from the Northern Neck and only three from the Southside. Group II included eight Eastern and seventeen Western Delegates. The Northern Neck-Southside division was similar, six to thirteen.[30]

While on the surface the Northern Neck-Southside division seems to be the most meaningful of the sectional divisions, there are several intervening factors which diminish its importance considerably. First of all, one third of the sixty-seven men did not vote consistently with either of the two blocs; they were in a position to swing any given vote in either direction. Second, the existence of <u>even one</u> Southside Delegate in the Northern Neck dominated bloc raises serious doubts as to the solidarity of the sectional bloc. For example, Thomas Evans, a Southside Delegate, agreed with Northern Neck Delegate John Mayo 92 per cent of the time. This high percentage of agreement should not occur between Delegates representing sharply opposing sections. The existence of three such Southside Delegates in the Northern Neck bloc and of six Northern Neck Delegates in the Southside bloc indicates very serious weaknesses in the solidarity of these blocs. Third, the Northern Neck-Southside division is weakened by voting behavior within the individual county. The County of Surry, a Northern Neck stronghold,

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[29]The voting blocs listed in Appendix V are based on a computer analysis of the voting behavior of the sixty-seven three-term Delegates. As the computer does not make qualitative judgments, it cannot be inferred that either Thomas Evans or Joseph Chaffin were acknowledged as the leaders of their respective voting blocs at the time. They simply happened to be the two men that other Delegates agreed with the most. This could mean that they were <u>either</u> good leaders or good followers.

[30]See Appendix V.

was predictably represented by Nicholas Faulcon in the Northern Neck bloc, but was also represented in the Southside dominated bloc by William Boyce. Such disagreement between Delegates within a county may not be sufficient to disprove the validity of the entire Northern Neck-Southside division, but it would most certainly seem to indicate that the county of Surry had no place among the ranks of the Northern Neck strongholds.

It becomes obvious at this stage that neat sectional and economic divisions do not adequately explain political behavior on the state and local level. The Northern Neck-Southside division is the better of the two because it is determined by economic as well as geographic factors, but even these combined factors do not adequately explain the Delegate's voting behavior. The validity of the Northern Neck-Southside divisions rests on the assumption that a Delegate's voting behavior was a reflection of his economic standing at the time. This assumption does not take into account the Delegate's level of economic expectation, nor does it allow for his social standing in the state regardless of wealth. The evidence found in this study suggests a pattern of shifting, multi-factional alliances, rather than a rigidly organized system of blocs reflecting sectional or economic interests. It is only as a result of the injection of national issues that consistently allied groups appear, and these groups stem from ideological committment, not economic or sectional interests.

CHAPTER III

THE VIRGINIA HOUSE AND NATIONAL ISSUES

The Virginia House of Delegates had always felt it their duty to examine the Federal government's actions. Their readiness to debate and vote on issues which were not in the direct scope of their legislative functions often caused the House to ignore many of the pressing needs of the state.[1] The Virginia Resolutions on the Alien and Sedition Acts of 1798 are perhaps the most famous of the Assembly's expressions on the role of the Federal government, but they were only a culmination of previous debates on that subject. Virginia politicians thought of themselves as experts on the Constitution and rarely missed a chance to praise or condemn the actions of those in the nation's capital. Given the sentiment of the Virginia Legislature during the Federalist decade, the tendency was toward condemnation, not praise.

The House members' voting behavior on the important national issues of the period differs strikingly from that on statewide issues. The problems of raising the public revenue for the operation of state government and of providing for internal improvements had little connection with the opposing ideologies and personalities that were emerging on the national level. These local issues were more intimately connected with the merits of each individual proposal and the practical effect

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[1]Ambler, Sectionalism in Virginia, 138.

it might have on individual counties.[2] Republican or Federalist rhetoric had little relevance to state and local issues. This was not the case with the national issues, however. The Republican and Federalist factions on the national level had already established official rhetorics,[3] and a vote on a national issue, even on the state level, entailed the acceptance of one of those ideologies.

The 1790's were exceptional years if only for the fact that they were distinguished by sharp ideological divisions in an essentially non-ideologically oriented nation. The sharpness of the division made it more difficult to cross party lines in voting for or against an issue identified with party ideology, for it would imply a rejection of that ideology and not a simple difference of opinion on the relative merits of a given proposal.

An analysis of voting behavior on national issues by sixty-seven three-term Delegates gives evidence of the rigidity of party lines. The two voting blocs that emerge are notable for their substantial number of members, for the high degree of agreement within each bloc, and for their consistent and sharp opposition to each other on all national issues.[4]

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[2] Harry Ammon in his article, "The Jeffersonian Republicans in Virginia," Virginia Magazine of History and Biography, LXXI, 164, has made this same sharp distinction between state and national issues, although this writer differs with Ammon's interpretation of an East-West division on state issues.

[3] Harry Ammon, The Republican Party in Virginia, 1788-1824, (unpubl. Ph.D. diss., Univ. of Va., 1948), 128.

[4] See Appendix VI. The voting blocs listed in Appendix VI are based on a computer analysis of the voting behavior of the 67 three-term Delegates on all nation issues before the House. As was the case in the voting blocs in Chapter 2, the fact that a great number of Delegates agreed with Thomas Evans and Joseph Chaffin does not have any appreciable connection with their stature in the House.

The Federalist bloc had nineteen members; the Republican bloc, thirty-six. Thus, fifty-five of the sixty-seven Delegates are readily identifiable as staunch supporters of either the Republican or Federalist factions. The 36 to 19 edge held by the Republicans in the three-term group is an accurate reflection of the Federalist-Republican ratio throughout the entire House of Delegates. [5] The rate of agreement within each voting bloc was usually much higher than the 76 per cent set as the minimum requirement for categorization within a bloc. Over one half of the Delegates in the Republican bloc agreed 100 per cent of the time, while almost two thirds of the Federalist bloc Delegates agreed 100 per cent. The opposing blocs were in sharp disagreement with each other. The two men used as standards for the voting blocs, Thomas Evans and William Chamberlayne, agreed only 17 per cent of the time. One third of the Federalist bloc Delegates agreed with Republican Chamberlayne on no occasion. [6] It is also important to note that the membership of the Republican and Federalist voting blocs had little correlation with the sectional voting blocs. [7]

The solidarity of the Republican and Federalist voting blocs assured, it is not necessary to analyze individual voting behavior on individual issues, as Republican or Federalist supporters could be

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[5] For example, the vote praising the Virginia Senators' opposition to the Jay Treaty was 100 to 50. House Journal, Nov. 20, 1795.

[6] See Appendix VII.

[7] A comparison of the state and national voting blocs shows Federalists and Republicans interspersed within both sectional blocs, although there is a predominance of Republicans in the Western-Southside bloc. A truly accurate comparison cannot be made because of the small size of the sectional blocs.

expected to vote for Republican or Federalist-inspired proposals with great consistency. The lines of battle clearly drawn, it will only be necessary to study the principle issues which created the division and to assess the arguments of both camps toward these issues. The more difficult questions of the nature of party organization and the content of party philosophy will be studied in the concluding chapter.

By the time the House convened in 1794, the Whiskey Rebellion had been quashed, but there were some misgivings about the zeal with which the Administration had handled the Pennsylvania insurrgents. Although the House adopted, by voice vote, a resolution praising the Virginia State Militia for the "spirit, alacrity and promptitude" with which they put down the Rebellion,[8] it is clear that sentiment toward the Administration's handling of the matter was not entirely uncritical. Especially galling to Republicans was President Washington's statement that the newly-formed Democratic-Republican societies had "been labouring incessantly to sow the seed of distrust, jealousy and of course discontent . . .that they have been the fomenters of the Western disturbances, admits of no doubt in the mind of anyone who will examine their conduct."[9] Although there were only four Democratic-Republican societies in Virginia,[10] to some Republicans the denunciation "seemed one of the extraordinary acts of boldness of which we have seen so many from the fraction of monocrats. It seems wonderful indeed that

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[8]House Journal, Nov. 12, 1794.

[9]George Washington to John Jay, Nov. 1, 1794, in John C. Fitzpatrick, ed., The Writings of George Washington from the Original Manuscript Sources (Washington, 1940), XXXIV, 17.

[10]Eugene P. Link, Democratic-Republican Societies, 1790-1800 (New York, 1942), 13-16.

the President should have permitted himself to be the organ of such an attack on the freedom of discussion, the freedom of printing or publishing."[11]

The Republican distaste for overzealous Federal intervention in the Whiskey Rebellion found expression in a resolution passed by the House concerning the status of Governor Henry Lee. The resolution stated that Lee, by accepting the post of Commander of the United States Forces to keep order in Pennsylvania, had thus lost title to his office of Governor—under the constitutional provision that no man could hold offices in both the State and Federal governments at the same time.[12] Although the resolution made no mention of the Administration's conduct in putting down the Rebellion, it became clear during the debates that the resolution was intended as a backhanded swipe at the Federalist Administration. Many people in the House believed that the President "had exceeded his power in calling out the militia of the neighboring states before it was sufficiently proved that the militia of the States where the insurrection arose, was incompetent to the task of quelling it."[13]

The outnumbered Federalists maintained that Governor Lee was only serving in his capacity as head of the state militia and that his post as commander of the combined forces was an unofficial one, awarded to him by the other state militia commanders with the consent of the President. Thomas Evans maintained that the Republican "endeavor seems

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[11] Jefferson to James Madison, Nov. 28, 1794, in Paul Leicester Ford, ed., The Works of Thomas Jefferson (New York, 1904), VIII, 156.

[12] House Journal, Nov. 12, 1794.

[13] Thomas Evans to John Cropper, Nov. 30, 1794, John Cropper Papers, Virginia Historical Society.

to have been aimed to obstruct the General Government rather than to harmonize the interests of the two." [14] Republican sentiment triumphed in the House, but the Senate rejected the resolution.[15] The debate on the handling of the Whiskey Rebellion is notable for one other factor, as it was the only national issue which agitated the Virginia legislature between 1794 and 1796 that was not in some way connected with problems abroad.

Governor Lee's term expired the next month and the Republicans succeeded in electing their candidate, Robert Brooke, to that post by a margin of 90 to 60 over James Wood. Both Virginia seats in the United States Senate were also vacant in 1794, as John Taylor and James Monroe had both resigned. Henry Tazewell and Stevens Thomson Mason were elected to fill their seats "by the most decided majorities. Not a single anti-Republican was started." [16]

The 1794 session ended without the House taking further action on issues of national significance, but pro-French sentiment was beginning to reach a peak once again. From 1789-93, pro-French sentiment was the genuine expression of a people who viewed the French Revolution as a continuation of their own struggle for liberty. Although the Proclamation of Neutrality in 1793 greatly limited the material aid that American citizens could give the French, the spirit of community between the two nations still existed. By the spring of 1793, however, the indiscretions of Citizen Genêt had diminished pro-French sentiment considerably. Every

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[14] Ibid.

[15] House Journal, Nov. 14, 1794.

[16] Madison to James Monroe, Dec. 4, 1794 in Gaillard Hunt, ed., The Writings of James Madison (New York, 1906), VI, 225.

indication seemed to "shew that the mass of the Republican interest has no hesitation to disapprove of this intermeddling by a foreigner, and the more readily as his object was evidenced, contrary to his [Genêt's] professions, to force us into war." [17] Wilson Cary Nicholas, a leader of the Republican forces in the House of Delegates, was cautioned to disassociate himself from Genêt, as "it is time you should be connecting yourself with better company, as I verily believe you never intended to be classified with the enemies of liberty." [18]

By 1794, a year after Genêt's blundering mission, pro-French sentiment began to rise once again, although in a different form. This time, the sentiment was not so much pro-French as anti-British. Republicans and Federalists alike wanted to avoid the horrors of another war, but the people of Virginia were "groaning under the insults of Great Britain." [19] Even John Marshall, a staunch Federalist, was clearly upset by British violations of the Neutrality Acts. He believed that "the man does not live who wishes for peace more than I do; but the outrages committed upon us are beyond human bearing." [20]

To put an end to the British violations, the President appointed the Supreme Court Justice, John Jay, to go as Envoy Extraordinary to Great Britain. To many Republicans, the choice was less than ideal. The

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[17] Jefferson to Madison, Aug. 25, 1793 in Ford, ed., Jefferson's Works, VIII, 7.

[18] Edward Carrington to Wilson Cary Nicholas, Mar. 2, 1794, Wilson Cary Nicholas Papers, Univ. of Va., Charlottesville.

[19] Jefferson to John Adams, Apr. 25, 1794 in Ford, ed., Jefferson's Works, VIII, 144.

[20] John Marshall to Archibald Stuart, Mar. 27, 1794 in Beveridge, The Life of John Marshall, II, 108.

Democratic societies reminded the people that Jay was an aristocrat who had defended the right of England to maintain their posts on the nation's western boundaries. The Prince William County Democratic Society of Dumfries, Virginia, emphasized that it was unconstitutional for a man to hold offices in both executive and judicial branches.[21] With this rousing send-off, Jay departed for England. The Senate received the Jay Treaty in March 1795, almost a year after his departure. In a special session in June, the Senate ratified the Treaty, with both Virginia Senators opposing ratification. Senator Stevens Thomson Mason of Virginia gave a copy of the still-secret document to the Philadelphia Aurora, the major Republican newspaper in the nation. The terms of the Treaty now public knowledge, the stage was set for a thoroughgoing appraisal of its merits in Virginia.[22]

The controversy over the Jay Treaty provided the major impetus for the development of the Republican party during the 1794-96 period. In some respects, the Treaty was the decade's most important target of opposition to Federalist policy—exceeding the Alien and Sedition Acts in its unpopularity. The Alien and Sedition Acts were initiated and passed by the members of Congress on their own volition. The Jay Treaty, however, was ratified because many Senators felt that the only alternative to ratification was war with Great Britain.[23] The defenders of the Jay Treaty were at an enormous disadvantage, as the Republican forces could lambast the Treaty article by article, while

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[21] Link, Democratic-Republican Societies, 130-131.

[22] Hunt, ed., Madison's Writings, VI, 234n.

[23] Cunningham, The Jeffersonian Republicans, 63.

the Federalists could only respond with a defense of the Administration's integrity and a reminder that without the Treaty, there might be war.[24]

The fight against the Treaty in Virginia was carried out on two different fronts. On the county level, meetings were called denouncing the repugnant articles of the Treaty and castigating the "monocrats" who had perpetrated it. These meetings did little to help defeat the Treaty, but they were a focal point around which to rally the politically apathetic to the Republican ranks. The House of Delegates was the center of activity for constructive attempts to bring about a repudiation of the Treaty. The members of the House realized that the Treaty could be defeated only by proving its unconstitutionality, and their efforts centered around proving this point.

The county meetings served to keep the issue of the Treaty alive until the House of Delegates met in November 1795 to act on it. In the course of the late summer and early fall, counties from all parts of the state had expressed their low opinions of the Treaty's merits.[25] The caliber of the opposition varied according to the leadership provided. The petition of the "Citizens of Mecklenburg, Lunenburg, Brunswick and Greensville Counties to the President of the United States" was drawn up by House Delegates of those counties and was moderate in tone and reasoned in its criticism.[26] The most

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[24]Edmund Randolph to Madison, Apr. 25, 1796, The Papers of James Madison, Library of Congress, Washington, D.C. (on microfilm at Williamsburg).

[25]For a sampling of Virginia opinion on the Treaty see The American Remembrancer; or An Important Collection of Essays, Resolves, and Speeches Relative, or Having Affinity to the Treaty with Great Britain (Philadelphia, 1795), I-III, passim.

[26]Petition of the Citizens of Mecklenburg, Lunenburg, Brunswick, and Greensville Counties to the President Relative to the Treaty of Amity and Commerce lately concluded with Great Britain, Aug. 25, 1795, The Papers of George Washington, Lib. of Cong., Washington, D.C. (on microfilm at Williamsburg).

influential of the protest meetings was held at Richmond, where a petition was adopted claiming that the Treaty was "Insulting to the Dignity, Injurious to the Interest, Dangerous to the Security, and Repugnant to the Constitution of the United States."[27] Much of this meeting's prestige was due to George Wythe's presence as chairman. Wythe had supported the Administration in its Proclamation of Neutrality in 1793, and his switch to the side of the Republicans was hailed as a great victory.[28] A protest meeting held in Amelia County did not have the benefit of an informed Republican leadership and the result was a petition that was indiscriminate in its criticism of the Treaty. In addition to objecting to United States concessions to Great Britain, the petition also found fault with the few concessions that the United States had gained from the Treaty.[29]

The Treaty's defenders kept silent during the remaining months of 1795, waiting until the furor had died down. Although a few counties passed resolutions upholding the President's integrity, none had the courage to defend the Treaty forthrightly on its own merits.[30] It was not until April 1796 that the Administration's supporters

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[27] Virginia Gazette and General Advertiser, July 29, 1795.

[28] Harry Ammon, "The Formation of the Republican Party in Virginia, 1789-96," Journal of Southern History, XIX, 307.

[29] Virginia Gazette, July 15, 1795.

[30] Westmoreland County praised the British surrender of the western garrisons, but made no other mention of the Treaty in its resolutions. The other pro-Administration counties were content with an expression of confidence in the President. Joseph Pierce to George Washington, Sept. 29, 1795, Washington Papers, Lib. of Cong., Washington, D.C. (on microfilm at Williamsburg).

attempted to gain a public approval of the Treaty. By this time the House of Delegates had already adjourned and the anti-Treaty men had long since vented their anger in protest meetings. By the time the Richmond meeting of 1796 was held, the heat of the opposition on the county level had cooled considerably.

The Richmond meeting of 1796, the last of the town and county meetings on the Treaty, was well planned in advance and caught the Republicans off guard.[31] In spite of this the Federalists and their leader, John Marshall, did not have an easy time of it. According to Edmund Randolph's rather biased account, Marshall's argument "was inconsistent and shifting; concluding every third sentence with the horror of war." Although it is doubtful that a lawyer as astute as Marshall would be inconsistent in his argument, it is probably true that he had to evoke images of the horrors of war in order to obtain a favorable resolution from the gathering. When it came to the specific provisions of the Treaty, there was simply very little to defend. The Federalists succeeded, however, even though Republican partisans felt that those who voted approval of the Treaty were "British merchants, their clerks, officers who held posts under the President at his will, stockholders, expectants of office, and many without the shadow of a freehold."[32]

Other than the 1796 Richmond meeting, the reaction to the Treaty on the town and county level was hostile. The agreement to take the responsibility for British damage claims, the failure to protest

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[31] Ammon, "Republican Party in Virginia, 1789-96," 307.

[32] Edmund Randolph to Madison, Apr. 25, 1796, Madison Papers, Lib. of Cong., Washington, D.C. (on microfilm at Williamsburg).

the capture and impressment of Negro slaves, England's refusal to agree to allow American trade with France—all these overshadowed English concessions for the abandonment of the Western garrisons and for the opening of the British West Indies to American trade. In retrospect, the positive value of the Jay Treaty can be appreciated. In a time when the nation needed peace and commercial expansion more than anything, it guaranteed those things. Indeed, when England's power vis-a-vis that of the United States in 1795 is considered, it is surprising that Jay accomplished as much as he did.[33] Neither Republicans nor Federalists were blessed with hindsight, however, and the specific terms of the Treaty, when discussed on the county level, took a severe pasting.

The House of Delegates' actions on the Treaty were important for several reasons. The impassioned and often violent rhetoric of the county meetings gave way to a discussion on the constitutionality of the Treaty by men learned in the profession of law. In the nation's capital men of both parties were anxious as to what the Virginia Assembly should say and do about the Treaty, and accordingly advised the Delegates on the course their arguments should take. Congressman John Nicholas wrote to Wilson Cary Nicholas, "it is probably that from a confidence in themselves the Treaty men with you will promote a publication of your debates, in which case it behooves your young men to inform themselves fully on the subject." John Nicholas

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[33] Samuel Flagg Bemis, Jay's Treaty, A Study in Commerce and Diplomacy (New York, 1924), 270.

then went on to give a detailed argument relating to the unconstitutionality of the article concerning contraband material.[34]

Edward Carrington, possibly the most irrepressible optimist who ever took pen in hand, had the difficult task of keeping President Washington informed on the climate of opinion in his home state. A few days before the 1795 session convened, Carrington assured Washington that the "spirit of dissatisfaction" over the Treaty had dwindled considerably, and concluded his letter by saying, "I verily believe a question put on this day for making the Treaty a subject of conversation would be negative."[35] A week later Carrington was proven wrong. On a motion by Mann Page and Joseph Eggleston to approve the Virginia Senators' conduct in voting against the Treaty, the subject of the Treaty came before the House. The Federalists, led by Charles Lee, Robert Andrews, and John Marshall, immediately proposed a counter-resolution stating that the House of Delegates had no authority or reason to pass upon the actions of the Virginia Senators. The burden of their argument rested on the assumption that the state and Federal governments were separate and distinct, and that the state governments had no control over or right to censure those acts which were properly in the sphere of the Federal government.[36] With these two

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[34]Washington to Edward Carrington, Nov. 1, 1795 in Fitzpatrick, ed., Washington's Writings, XXXIV, 354; John Nicholas to Wilson Cary Nicholas, n.d., 1795, Wilson Cary Nicholas Papers, Univ. of Va.

[35]Edward Carrington to Washington, Nov. 10, 1795, Washington Papers, Lib. of Cong., Washington, D.C. (on microfilm at Williamsburg).

[36]Joseph Jones to Madison, Nov. 22, 1795, Madison Papers, Lib. of Cong., Washington, D.C., (on microfilm at Williamsburg).

proposals before the House, the merits of the Treaty were "warmly agitated three whole days." [37]

The debates began with another move by the Federalists to postpone the vote regarding the Virginia Senators' conduct on the grounds that an approval of their conduct would amount to a virtual censure of the President. Miles King of Elizabeth City supported this move, reminding the Delegates that the President "was incapable of acting against the true interest of his country." The magic of Washington's name was wearing thin, however, and postponement of the resolution was voted down viva voce.[38]

Joseph Eggleston led the Republicans in debate, making "some remarks pointed and proper." [39] Although none of the observers reported explicitly what Eggleston said, it probably differed little from what was being said by Republicans in Congress. The principle constitutional objections to the Treaty hinged on the fact that it dealt with many things that were connected with the commerce power, a power given to both the House of Representatives and the Senate, and not to the Senate alone. The Treaty also involved naturalization, the punishment of piracies, the laying of imposts and the expenditure of money, all matters the concern of the entire Congress. In fact, laws for the laying of imposts were supposed to originate in the House of Representatives.[40]

The Judicial branch was also affected; the assessment of debts was taken out of the hands of the United States Courts and put under the

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[37] Edmund Randolph to Jefferson, Nov. 22, 1795 in Ford, ed., Jefferson's Works, 197n.

[38] Joseph Jones to Madison, Nov. 22, 1795, Madison Papers, Lib. of Cong., Washington, D.C., (on microfilm at Williamsburg).

[39] Ibid.

[40] Beveridge, Life of John Marshall, 133.

control of a commission composed of both British and Americans. This provision was attacked not only by Republicans, but by later historians as well. To Samuel Flagg Bemis, author of the only comprehensive study of the Jay Treaty, the failure of Chief Justice John Jay to defend the judicial competence of the United States Federal Courts was unnecessarily humiliating.[41]

The burden of the Treaty's defense in the House of Delegates fell on the shoulders of John Marshall. Republican Joseph Jones, James Madison's informant, was forced to admit that "Marshall, it seems, was very able with respect to the Constitutionality of the Treaty," although Alexander McRae "answered Marshall . . .very well."[42] Marshall argued that the state governments (i.e. the Virginia House of Delegates) could not pass upon the Treaty while its commercial parts were still under the power of the House of Representatives. He contended that it was more "in the spirit of the Constitution" for the House of Representatives to render the Treaty ineffectual by refusing to enact the necessary provisions for its implementation than it would be for a state government to denounce the Treaty before the terms of it had officially been implemented.[43] This argument, it seems, was designed more to prevent negative action on the Treaty than it was to produce positive approval of it.

The rest of Marshall's arguments, according to Randolph, contained nothing more but "the sophisms of Camillus."[44] Without going

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[41]Bemis, Jay's Treaty, 259.

[42]Joseph Jones to Madison, Nov. 22, 1795, Madison Papers, Lib. of Cong., Washington, D.C. (on microfilm at Williamsburg).

[43]Edmund Randolph to Jefferson, Nov. 22, 1795, in Ford, ed., Jefferson's Works, 197n.

[44]Ibid.

into the details of Alexander Hamilton's defense of the Treaty, it is enough to say that Randolph's condescension toward the Camillus letters was unwarranted. Thomas Jefferson was impressed enough by them to write to James Madison, "Hamilton is really a colossus to the anti-Republican party. Without numbers he is a host in himself . . . we have only middling performances to oppose to him. In truth, when he comes forward, there is nobody but yourself who can answer him." [45] For Jefferson, violently opposed to the Treaty and never lavish in his praise for Hamilton, this was a great tribute to the skill of Camillus.

Edward Carrington was so impressed with Marshall's defense that he wrote the President, saying that "on the point of constitutionality, many conversions were acknowledged." [46] Carrington was once again carried away by his desire to comfort the President, as the resolution denying the House's authority to pass judgment on the Treaty was defeated, 98 to 52; the resolution praising the Virginia Senators for voting against the Treaty was passed, 100 to 50. [47]

The Federalists of Virginia could take some comfort in their defeat, for the legislatures of other states did not follow the Virginia Assembly's lead. Although the Republicans in Virginia "supposed there was nothing unconstitutional in a state legislature speaking its opinion on any public measure," many of the other state legislatures

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[45] Jefferson to Madison, Sept. 21, 1795, in Ford, ed., Jefferson's Works, 197n.

[46] Edward Carrington to Washington, Nov. 20, 1795, Washington Papers, Lib. of Cong., Washington, D.C. (on microfilm at Williamsburg).

[47] House Journal, Nov. 20, 1795.

condemned the action as an "improper interference"on the part of the Virgina Assembly.[48]

After the defeat, Carrington was quick to assure the President "that during the discussion, there has been a decided respect and confidence in you."[49] The events of the very next day would once again prove Carrington's assurances premature. Immediately after the defeat, the Federalists in the House made an attempt to salvage some of the Administration's prestige. They introduced a resolution praising the President for his "great abilities, wisdom and integrity" and reassuring him that he still "possessed the undiminished confidence of this House."[50] Although it seems unlikely that the word "wisdom" was inserted for the express purpose of nullifying the effect of the resolution on the Treaty, both Republicans at the time and later historians interpreted it in that manner. Edmund Randolph informed Jefferson that "the word 'wisdom' in expressing the confidence of the House in the P. was so artfully introduced that if the fraudulent design had not been detected in time, the vote of the House, as to its effects upon the P., would have been entirely done away."[51]

The Republicans defeated the resolution, 79 to 59. Another was then introduced, affirming the integrity of the President, but reaffirming that they approved of "the vote of the Senators of this

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[48]Joseph Jones to Madison, Feb. 17, 1796, Madison Papers, Lib. of Cong., Washington, D.C. (on microfilm at Williamsburg).

[49]Edward Carrington to Washington, Nov. 20, 1795, Washington Papers, Lib. of Cong., Washington, D.C. (on microfilm at Williamsburg).

[50]House Journal, Nov. 21, 1795.

[51]Edmund Randolph to Jefferson, Nov. 22, 1795 in Ford, ed., Jefferson's Works, 197n.

State in Congress . . .relative to the Treaty with Great Britain." This resolution passed, 87 to 56, the Federalists opposing it.[52] The fight over the resolution's wording was not yet finished, however; the State Senate amended it, adding the word "wisdom" to the list of Washington's attributes, but retaining the passage praising the Virginia Senators. The amended resolution, which probably pleased no one, passed the House, 78 to 62.[53]

The debates on the Jay Treaty had hardly ended when the Virginia Assembly again ventured into the realm of national affairs. The House proposed four amendments to the United States Constitution. Although they made no mention of the Jay Treaty, their intent was obvious. The first of the four amendments would have made it necessary for the House of Representatives, as well as the Senate, to approve any treaty which affected the commerce power. Since the principal constitutional arguments against the Jay Treaty centered around its abuse of the commerce power, the motivation behind limiting the President and Senate's treaty-making power was obvious. The next two proposed amendments also sought to weaken the Senate. They proposed that a "tribunal other than the Senate should be responsible for impeachments" and that Senators' terms should be limited to three years. The fourth amendment would have prevented United States judges from holding other offices at the same time. This could only be looked upon as a slap at John Jay. The Federalists attempted to delay discussion of the amendments for a year, but their resolution was defeated, 79 to 57, and the resolution proposing the amendments was then passed, 88 to 32.[54]

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[52] House Journal, Nov. 21, 1795.

[53] Ibid., Dec. 4, 1795.

[54] Ibid., Dec. 12, 1795.

Prior to the close of the 1796 session, after Washington's plans for retirement had been announced, the Virginia Assembly decided to draw up an address to present to the President upon his retirement. The controversy that arose as to the wording of the address is indicative of the increasing Republican disenchantment with the Administration's policies of the past two years. The Federalist-proposed address was a long and laudatory document praising the President for his "wisdom" and for his attempts "to check the destructive contest of party spirit." This resolution was defeated, 76 to 70. The next day, another address was proposed, much shorter and less laudatory in tone. The Federalists moved to insert into the new address the words "marked by wisdom in the Cabinet, by valor in the field, and by the purest patriotism in both." [55] This move, according to Marshall, provoked a debate in which "the whole course of the Administration was reviewed, and the whole talent of each party brought into action." [56] It appears that the Washington Administration came out on the short end of the debate, as the Federalist amendment was defeated, 75 to 67. The second address, without the Federalist amendment, was passed by voice vote.[57]

The tone of the second address differed so strikingly from the first that it could only reflect the decline of Washington's popularity in Virginia. Federalists and Federalist-inspired measures were never popular in predominately Republican Virginia, but the figure of George Washington had always tended to blunt the force of opposition toward the

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[55] Ibid., Dec. 9-10, 1796.

[56] John Marshall to Joseph Story, n.d. in John F. Dillon, John Marshall: Life, Character and Judicial Services (Chicago, 1903), III, 355.

[57] House Journal, Dec. 10, 1796.

Administration. The Virginia Convention of 1788 most certainly would not have ratified the Constitution but for the personal influence of Washington.[58] By 1796, Washington's stature had dwindled so greatly that he was unable to obtain a full vote of confidence for himself, let alone for the measures of his Administration.

In one sense, it was to be expected that the Republicans would focus their opposition on the Jay Treaty, for Anglo-American relations were at a low point by 1795, and the Jay Treaty, with its many concessions to the hated British, was a perfect target for criticism. On the other hand, the violent opposition that was generated against the Treaty in Virginia was far out of proportion to any direct adverse effects which the Treaty might have had on Virginians. Great Britain's refusal to compensate for the loss of Negro slaves was the Treaty's only provision which directly affected Virginians adversely, and, in fact, it only affected those in the East. One of England's major concessions, the surrender of the western garrisons, should have pleased Virginians in the West. The votes on the Treaty show, however, that these were not the factors that determined the attitudes of Delegates toward it.[59] The important reasons behind support for, or opposition to, the Administration and its Treaty lie not so much in the realm of concrete interests as in the personal commitment to Washington on the one hand, and a developing agrarian ideology on the other.

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[58] Seymour Lipset, The First New Nation, The United States in Historical and Comparative Perspective (New York, 1963), 16-23.

[59] See Appendix VI.

CHAPTER IV

THE NATURE OF VIRGINIA POLITICS

It is not difficult to distinguish between those of Republican and Federalist sentiments on the basis of voting behavior, but motivations behind those sentiments are not so readily apparent. An appraisal of the "real" interests of the two camps does not fully explain their behavior, for Republican and Federalist sentiment was often more a frame of mind than a defense of any set of concrete interests. Although a complete survey of the Delegate's interests cannot be attempted within the scope of this paper, a cursory appraisal of the sixty-seven three-term Delegates, and in particular, the identified House leadership group, may give an accurate sample of their interests.

A sectional analysis yields no distinction whatsoever between Federalist and Republican interests. Of the nineteen Federalists listed in Appendix VI, eleven came from the west, eight from the east. The Northern Neck furnished four Federalist Delegates; the Southside, seven. Of the thirty-six Republican Delegates, nineteen came from the west, seventeen from the east. The Northern Neck and Southside regions each furnished twelve Republican Delegates. From this data it is clear that sectionalism within the state was no basis for party faction.

On the basis of the information presented in Chapter One, it appears that the Republican and Federalist leaders in the House of Delegates

were equally wealthy, although there were important differences in their means of acquiring that wealth. Of the Republicans, two men, Wilson Cary Nicholas and John Taylor, were extremely wealthy planters. Four Republican leaders—William Callis, John Guerrant, Thomas Madison, and Joseph Eggleston—were moderately successful planters. Alexander McRae, a lawyer, was the only Republican leader who was not engaged in agrarian pursuits.

The wealth of the Federalist leaders is harder to guage, as most of their holdings were not in fixed commodities such as land and slaves. Wilson Miles Cary enjoyed the same level of affluence as the two wealthiest Republicans. He was the only planter among the Federalist leaders, although Carter Braxton, Jr. may have diverted some time from his law practice to manage his father's extensive land holdings. John Marshall, Thomas Evans, and John Wise, like Carter Braxton, Jr., were successful lawyers. Miles King was a respected physician in Elizabeth City and Robert Andrews was a minister and professor of moral philosophy at the College of William and Mary.

The extremely wealthy men of both parties had their investments in land and slaves. The Republicans were moderately wealthy planters, while the Federalists were successful professional men. In terms of material well-being, it would be safe to say that there was little to distinguish between the two groups. In terms of actual interests at stake, neither group was substantially affected by the Jay Treaty and the controversies that surrounded it. Although it is true that the planters may have been angered by Britain's refusal to compensate for Negro slaves carried away after the Revolution, it is equally true that they should have been pleased with the surrender of the frontier

garrisons, as this move would allow for additional agrarian expansion.

The Jay Treaty was not so much an economic doctrine as it was a statement of United States policy. The occupational differences between the Republican and Federalist groups studied here suggests a frame of mind that might prove decisive in determining whether one would be a Federalist or a Republican. The agrarian composition of Virginia Republicanism is a reflection of the agrarian nature of the entire state. This suggests a reason for Virginia's pronounced hostility to the Jay Treaty. In order to fully understand why the Republicans opposed the Treaty, it is first necessary to briefly trace the origins of Republican thought.

Virginia Republicanism was no more democratic than Virginia Federalism. Both factions were quick to condemn the intemperance of those "without a shadow of a freehold."[1] Virginia Republicanism was characterized by a hearty distrust of the Federal government, a fierce devotion to agrarian ways, a sense of community that abruptly stopped at the state border, and a profound hatred of Great Britain. Even Jefferson, in the years before he became President, embraced all of these sentiments. After he assumed the Presidency, he ceased being a representative of agrarian Virginia and acquired a wider vision of the powers and duties of the Federal government.[2] To most Virginians, however, this change of outlook never occurred, nor could it be expected to.

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[1] Edmund Randolph to James Madison, Apr. 25, 1796, The Papers of James Madison, Lib. of Cong., Washington, D.C.; Edward Carrington to George Washington, Feb. 24, 1796, The Papers of George Washington, Lib. of Cong., Washington, D.C. (both on microfilm at Williamsburg).

[2] Koch and Peden, eds., The Life and Selected Writings of Thomas Jefferson, xxxv.

Virginia's position within the union was much the same in 1800 as it had been at the time of the ratifying convention. The Federal government's aims had little in common with those of the average Virginia planter. This fact was brought out as early as the 1788 ratifying convention, [3] and it is a source of wonder that Virginia, despite the prestige of Washington and Madison, ratified the Constitution in the first place. Although it has been proven time and time again that the Republicans of the 1790's were not the anti-Federalists of 1788, [4] one must wonder why they were not. Their arguments were the same, except that in the 1790's there was a factual basis for their grievances.

By 1792 the Federal government was doing exactly what the anti-Federalists had said it would do. The new government was pursuing policies whose obvious design was to aid the commercial North at the expense of the agrarian South. What was worse, the system that was being used to destroy the freedom and security of the agrarian sections constituted "the essence of the British monopoly, and is sustained by a conspiracy between the government and those who are enriched by it." [5]

Implicit in this defense of the agrarian life was an attack on the things which threatened it. The United States Bank was high on the list of odious threats, but it was made all the more odious by its connection with Great Britain. Neither Federalists nor Republicans remembered England's colonial rule with fondness, but by 1792 the Republicans had a new reason for hating their old enemy. To them, the

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[3] Ambler, Sectionalism in Virginia, 54-57.

[4] Ammon, The Republican Party in Virginia, 1789 to 1824 (unpubl. Ph.D. diss., Univ. of Va., 1948), 95; Cunningham, The Jeffersonian Republicans, 23.

[5] John Taylor, An Enquiry into the Principles and Tendency of Certain Public Measures (Philadelphia, 1794), 21.

financial heresies of the Federalists were intimately linked with the intrigues of Great Britain. They believed the "money-ocracy" of England was gaining control of the United States Bank in order to subvert the agrarian sections' liberty. "America," said John Taylor, "has defeated a nation, but is subdued by a corporation . . . The Bank, without a pretense of a claim upon the community, has found the means to occupy the station precisely, which Great Britain was striving to fill." [6] By this logic, opposition to Great Britain was synonymous with opposition to Federalist financial measures. Although Virginians, by 1795, had voted to establish a branch of the United States Bank in their state, this did not mean that they had acquiesced to the financial policies which they had so vigorously opposed in 1792. It only meant that they saw the practical need to reap some benefit from an institution which was already in operation in many states despite their opposition.

There was opposition to the Jay Treaty everywhere, but no where was it so loud or large as in Virginia. When the Treaty appeared, it was only natural for Virginia Republicans to view it as another example of the treasonous collaboration between the commercial North and the much-hated England—even though the Treaty did not have the direct effect of the financial measures of 1792. The Treaty's many concessions to Great Britain only served to strengthen their conviction that the "monocrats" of both nations were trying to "draw over us the substance, as they have already done the forms of the British Government." [7] The

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[6] Ibid., 22.

[7] Thomas Jefferson to Phillip Mazzei, Apr. 24, 1796, in Ford, ed., Jefferson's Works, 239.

fact that the names of Alexander Hamilton and John Jay were the most closely connected with the Treaty was clear evidence that this was the case.

The only difference between the financial policies of 1790-92 and the Jay Treaty was that the former was thought to be a direct economic threat to agrarian Virginia, while the latter was symbolic of political dominance by the North. Although the Constitutional amendments proposed by the Republicans in the Virginia House to limit the powers of the Senate would have worked to the disadvantage of their states' rights position in the long run, they were not viewed in that light at the time. Between 1794 and 1796 the Republicans had a majority in the House of Representatives, and by weakening the power of the Federalist-controlled Senate, Virginia Republicans hoped to overcome the dominance of the commercial and Federalist North.[8]

From an organizational standpoint, the philosophy of agrarian Republicanism constituted one of the party's greatest weaknesses, particularly on the state level. Virginia Republicans were more anti-Hamiltonian, anti-Treaty, and anti-British than they were pro-Republican. On the national level this was not too great a handicap, as Republicans in Congress at least were able to attempt to block Federalist proposals. On the state level, however, it meant that they were an ex post facto organization whose primary task was to yell "thief" and quickly lock the barn door after the horses had been stolen. Virginia Republican sentiment would usually lie dormant until the Federalists in Congress committed some atrocity to rouse them. Republicans on the local level were often

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[8]Joseph Charles, The Origins of the American Party System, Three Essays (Williamsburg, 1956), 102-103.

uninformed of the day-to-day contests between Federalists and Republicans in the nation's capital. Jefferson, in temporary retirement at Monticello, wrote "I could not have supposed, when at Philadelphia, that so little of what was passing there could be known even at Kentucky, as is the case here. Judging from the rest of the Union, it is evident to me that the people are not in a condition either to approve or disapprove of their government, nor consequently influence it."[9]

Virginians made a sharp distinction between national and state issues, and although they saw the need for effective party organization on the national level, they felt no such need on the state level. The four organized Democratic-Republican Societies in Virginia at the time did not have a wide following and were by their sometimes intemperate remarks often looked upon as more of a handicap than an aid to the Republican party.[10]

The sharp distinction between national and state policies is best exemplified by the type of men elected to office on the two different levels. For national offices, Republicans were usually elected to represent the state. Indeed, Virginia Federalists rarely attempted to gain elective office on that level.[11] Within the state, however, Federalists had much less difficulty in being elected, even though they were far outnumbered by Republicans. Federalist Henry Lee was Governor until this post became entangled with national affairs in 1794; Federalist

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[9] Thomas Jefferson to James Madison, Feb. 15, 1794, Madison Papers, Lib. of Cong., Washington, D.C. (on microfilm at Williamsburg).

[10] Cunningham, The Jeffersonian Republicans, 66; "Resolutions of the Citizens of the County of Hanover," Virginia Gazette and General Advertiser, Oct. 6, 1795.

[11] Cunningham, The Jeffersonian Republicans, 22, 60; James Madison to James Monroe, Dec. 4, 1794, in Hunt, ed., Madison's Writings, VI, 225.

John Wise was Speaker of the House from 1794-98.[12] Although the House was often a forum for the discussion of national policies, the Republicans continued to support Wise in spite of his Federalist sentiments. This was particularly infuriating to Republicans in Congress, who looked on Wise as an obstacle to effective Republican organization.[13]

The Federalists in Virginia differed considerably from those in the North. They were not so much attached to the policies of Hamilton as they were driven by a desire for order and by a faith in the ability and integrity of President Washington. They were not opposed to the policies of Jefferson and Madison nearly so much as they were to the excesses of the Republicans on the county level. Thomas Evans conjectured that if Jefferson were elected in 1796 "he will support the measures which have been pursued, and will soon be obnoxious to those violent partisans who are willing to go any lengths in his favor, whilst his administration may probably be supported by those who seem now unfriendly."[14]

This attitude was both the Federalists' strength and weakness. On the one hand, their moderation tended to further obscure the divisions between themselves and Republicans on the state level and enabled them to be elected to statewide offices, even though their constituents were of Republican sentiments.[15] On the other hand, when the important

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[12] Swem and Williams, Register of the General Assembly, ix, 41-50.

[13] Thomas Jefferson to John Wise, Feb. 12, 1798, Virginia Magazine of History and Biography, XII, 257.

[14] Thomas Evans to John Cropper, Dec. 6, 1796, John Cropper Papers, Virginia Historical Society.

[15] The most notable example of this is the election of John Marshall in 1795. Beveridge, The Life of John Marshall, II, 130.

national issues did come up, their defense of them lost much of its conviction.[16]

Another factor which prevented the complete extinction of Virginia Federalists was the prestige of Virginia's two most respected citizens, George Washington and Patrick Henry. Washington's prestige took a severe beating in the Jay Treaty controversy, but without his support, the outcome could have been much worse. Just as important perhaps was the curious position of Patrick Henry in Virginia politics at the time. Henry, the leading force behind the anti-Federalists of 1788, was still the most respected political figure on the state level. His fellow Virginians elected him to practically every office that was open at the time, even though it was almost a certainty that he would decline.[17] Either political faction would have been considerably strengthened by his support, but Henry insisted on remaining aloof from party politics. He wrote to Washington, saying "I have bid adieu to the distinction of federal and anti-federal ever since the commencement of the present government, and in the circle of my friends have often expressed my fears of disunion amongst the states from collision of interests, but especially fear the baneful effects of factions."[18]

In this letter Henry showed a clear understanding of the Republican-Federalist division of the time; "fear of disunion amongst the states from collision of interests" were based on his knowledge

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[16] The Federalists' rather lackluster defense of the Jay Treaty is evidence of their misgivings as to the Administration's wisdom. See The American Remembrancer; or An Important Collection of Essays, Resolves and Speeches Relative, or having Affinity to the Treaty with Great Britain (Philadelphia, 1795), I-III, passim.

[17] William Wirt Henry, Patrick Henry: Life, Correspondence and Speeches (New York, 1891), II, 553.

[18] Ibid., Patrick Henry to George Washington, Oct. 16, 1795, II, 558.

of the agrarian, sectional nature of Virginia Republicanism, and his preference for order over "the baneful effects of faction" caused him to view the Federalist Administration in a sympathetic light. By 1798 the evolution of Henry's political thought had reached the point where he supported the few remaining Federalists in their opposition to the Virginia Resolutions.[19]

The weakness of Republican organization and the prestige of Federalist leaders should not obscure the important fact that Virginia was overwhelmingly Republican in sentiment. The Republicans' strength in the House of Delegates is indicative of the harmony of interest that existed in all sections of Virginia. The existence of a Federalist faction in Virginia did little to disturb this harmony because it was few in number and less ardent in its support of national Federalist measures than were its counterparts in the North. In effect, Virginia, as early as 1796, was well on its way to becoming a one-party state in sentiment, if not in organization. The result of this general agreement on basic, agrarian goals was a non-ideological and non-sectional pattern of voting on state and local issues. On the national level the result was a firm stand against the conflicting aims of the commercial North. The implications of this conflict would prove to have grave consequences in the years to come.

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[19] Ibid., 588.

APPENDIX I

Committee Participation of the House Leadership

	Name and Constituency	Standing Committees	Special Committees
Those serving in three sessions:	Robert Andrews (Williamsburg)	15, 3*	40, 10*
	Carter Braxton, Jr. (King William)	11	20, 5*
	Joseph Eggleston (Amelia)	13, 2*	31, 5*
	Thomas Evans (Accomack)	10	26, 4*
	John Guerrant (Goochland)	14	15, 2*
	Miles King (Elizabeth City)	15, 3*	31, 14*
	Alexander McRae (Dinwiddie)	8	30, 5*
	Thomas Madison (Botetourt)	10	25, 5*

* Indicates chairman

APPENDIX I (continued)

	Name and Constituency	Standing Committees	Special Committees
	Wilson Cary Nicholas (Albemarle)	11	18, 3*
Those serving in two sessions:	Wilson Miles Cary (Elizabeth City)	10, 2*	9
	Archibald Magill (Frederick)	7	24, 4*
	John Marshall (Richmond)	9	27, 5*
	William Tate (Washington)	10	15, 2*
Those serving in one session:	William Callis (Louisa)	5, 1*	8
	John Taylor (Caroline)	5, 1*	14, 4*

* Indicates chairman

APPENDIX II

Voting Behavior of the House Leadership: National Issues

Bloc I (Federalist)

Name	Opportunities to Vote*	Agreement	% Agreement
Robert Andrews Carter Braxton, Jr.	6	6	100
Robert Andrews Wilson Miles Cary	8	8	100
Robert Andrews Thomas Evans	7	7	100
Robert Andrews Miles King	5	5	100
Robert Andrews John Marshall	8	8	100
Carter Braxton, Jr. Thomas Evans	5	5	100
Carter Braxton, Jr. Wilson Miles Cary	6	6	100
Carter Braxton, Jr. Miles King	4	4	100

* Although the number of opportunities to vote together on national issues was relatively slight, it is highly improbable that the men surveyed could have reached such a high degree of agreement by chance alone. A few sample probabilities are given below to illustrate this point:

Opportunities	Agreement	%	Probability of Occurring by Chance
4	4	100	6%
9	9	100	.2%
9	8	88	2%
8	6	75	7%

APPENDIX II (continued)

Bloc I (Federalist)

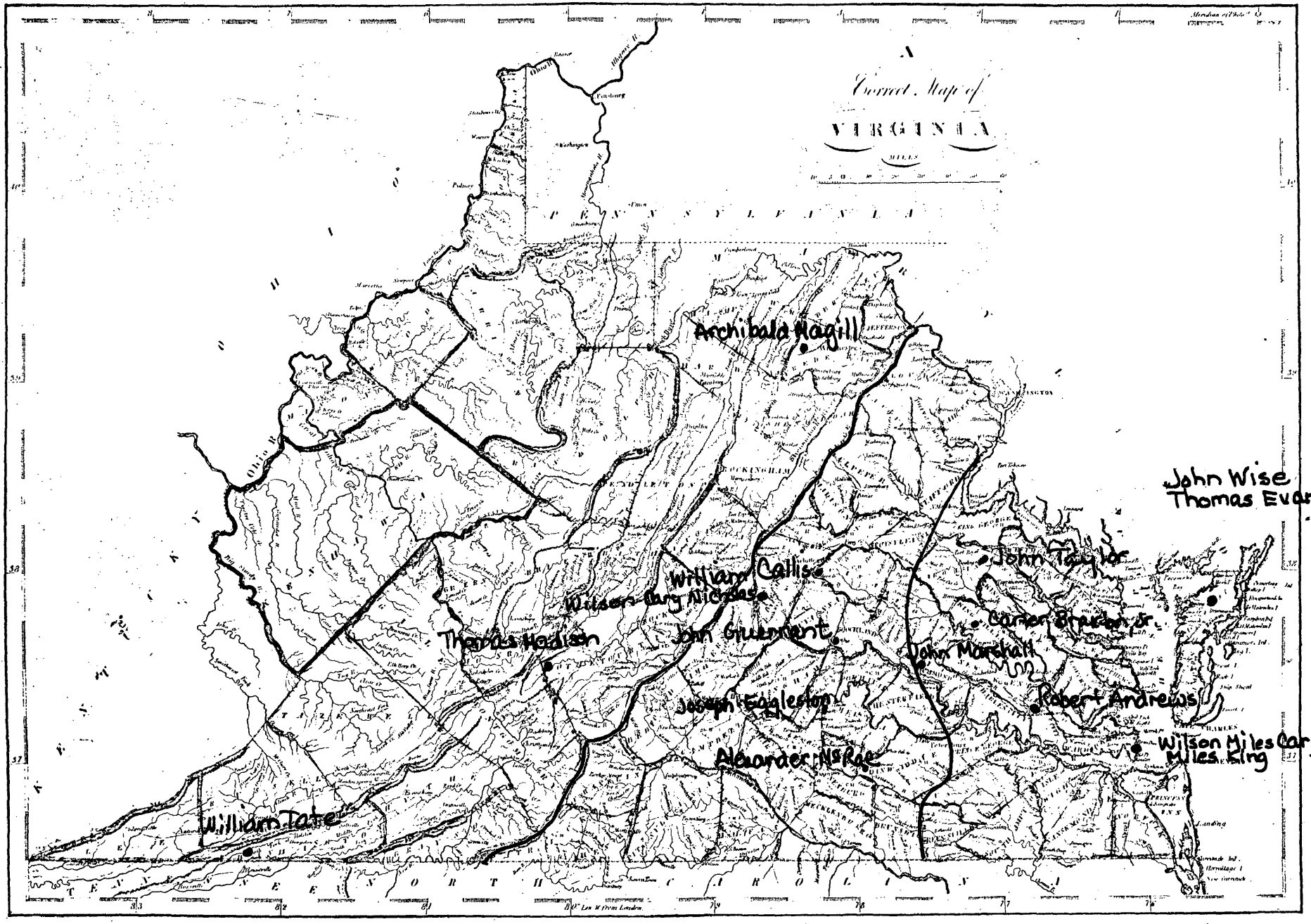
Name	Opportunities to Vote*	Agreement	% Agreement
Carter Braxton, Jr. John Marshall	5	5	100
Wilson Miles Cary Miles King	5	5	100
Wilson Miles Cary Thomas Evans	7	7	100
Wilson Miles Cary John Marshall	7	7	100
Thomas Evans Miles King	5	5	100
Thomas Evans John Marshall	7	7	100
Miles King John Marshall	4	4	100
Bloc II (Republican)			
William Callis Joseph Eggleston	8	7	88
William Callis John Guerrant	8	8	100
William Callis Alexander McRae	7	7	100
William Callis Thomas Madison	8	6	75
William Callis Wilson Cary Nicholas	8	7	88
Joseph Eggleston John Guerrant	9	8	89

APPENDIX II (continued)

Bloc II (Republican)

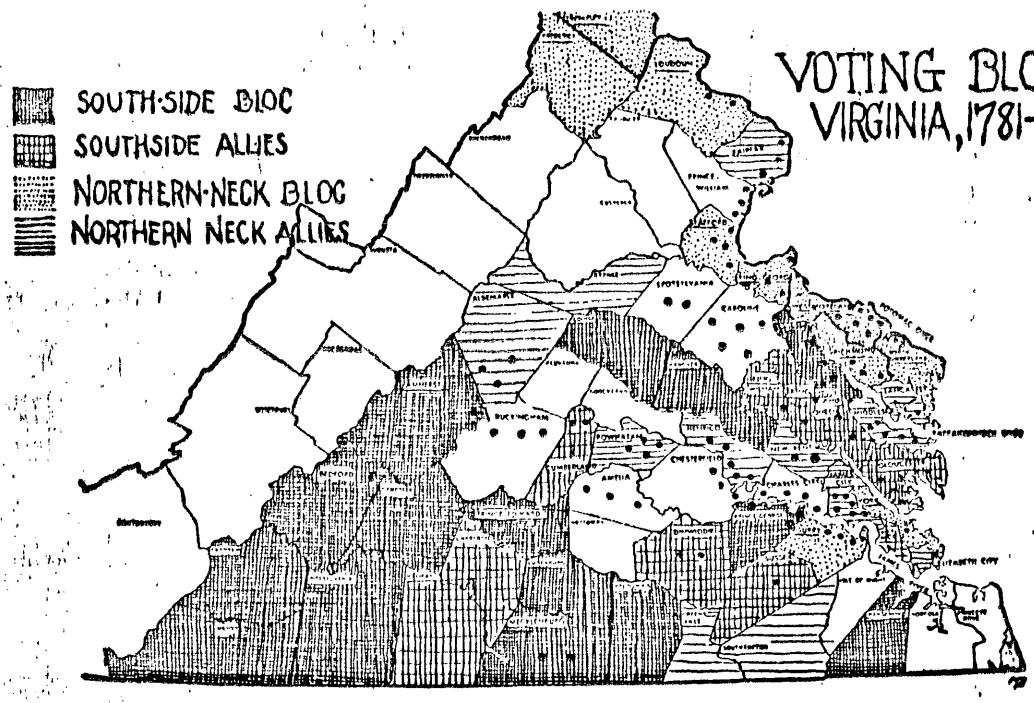
Name	Opportunities to Vote*	Agreement	% Agreement
Joseph Eggleston Alexander McRae	8	8	100
Joseph Eggleston Thomas Madison	9	8	89
Joseph Eggleston Wilson Cary Nicholas	9	9	100
John Guerrant Alexander McRae	8	8	100
John Guerrant Thomas Madison	9	7	78
John Guerrant Wilson Cary Nicholas	9	8	89
Alexander McRae Thomas Madison	8	7	88
Alexander McRae Wilson Cary Nicholas	8	8	100
Thomas Madison Wilson Cary Nicholas	9	8	89

APPENDIX III



[1807]

APPENDIX IV



VOTING BLOCS IN VIRGINIA, 1781-1787

APPENDIX V

Group I: Delegates Agreeing with Thomas Evans with a Consistency of 70% or greater.

Name and Constituency	Opp. to Vote	Agreed	% Agreement	East-West Div.	Northern Neck or Southside Div.
Robert Andrews (Williamsburg)	17	15	88	E	NN
William Bentley (Powhatan)	11	8	73	W	NN
William Cavendish (Greenbriar)	17	13	76	W	—
William Claiborne (King William)	12	9	75	E	SS
John Evans, Jr. (Monongalia)	20	14	70	W	—
Nicholas Faulcon (Surry)	18	13	72	E	NN
Thomas Griffin (York)	15	13	87	E	NN
Collier Harrison (Charles City)	12	9	75	E	—
Miles King (Elizabeth City)	12	9	75	E	NN
James Machir (Hardy)	18	14	78	W	—

Group I (continued)

Name and Constituency	Opp. to Vote	Agreed	% Agreement	East-West Div.	Northern Neck or Southside Div.
John Mayo (Henrico)	13	12	92	E	NN
William Mosely (Powhatan)	13	11	85	W	NN
Thomas Newton (Norfolk)	18	15	83	E	—
Wilson Cary Nicholas (Albemarle)	19	14	74	W	NN
William Nimmo (Princess Anne)	13	12	92	E	—
John Pierce (James City)	17	12	71	E	NN
Philip Thompson (Culpeper)	12	9	75	W	—
Thomas Tinsley (Hanover)	15	13	87	W	—

Group II: Delegates Agreeing with Joseph Chaffin with a Consistency of 70% or greater.

William Boyce (Surry)	18	17	94	E	NN
Joseph Burrus (Amherst)	15	12	80	W	SS

Group II (continued)

Name and Constituency	Opp. to Vote	Agreed	% Agreement	East-West Div.	Northern Neck or Southside Div.
William Cabell (Amherst)	14	10	71	W	SS
Matthew Cheatham (Chesterfield)	16	12	75	W	—
Thomas Clarke (Campbell)	14	10	71	W	SS
Anderson Cocke (Cumberland)	18	15	83	W	SS
James Cureton (Prince George)	18	14	78	E	SS
Peter Garland (Lunenburg)	13	10	77	W	SS
Robert Goodwyn (Southampton)	17	14	82	E	NN
John Goodwyn (Greensville)	13	12	92	E	NN
John Guerrant (Goochland)	16	13	81	W	—
Joseph Haddin (Fluvanna)	18	15	83	W	—
Samuel Hancock (Bedford)	16	12	75	W	SS

Group II (continued)

Name and Constituency	Opp. to Vote	Agreed	% Agreement	East-West Div.	Northern Neck or Southside Div.
John Hatcher (Cumberland)	19	14	74	W	SS
Augustine Jennings (Fauquier)	20	14	70	W	NN
Alexander McRae (Dinwiddie)	16	13	81	W	SS
Thomas Madison (Botetourt)	17	12	71	W	—
Joseph Martin (Henry)	14	10	71	W	SS
William Massenburg (Sussex)	12	10	83	E	SS
Thomas Miller (Goochland)	17	14	82	W	—
John Purnall (Prince Edward)	16	12	75	W	SS
Willis Riddick (Nansemond)	12	10	83	E	SS
Joseph Wilkins (Greensville)	15	13	87	E	NN
James Wilkenson (Southampton)	10	8	80	E	NN

APPENDIX VI

Federalist Bloc: Delegates Agreeing with Delegate Thomas Evans 76% or greater.

Name and Constituency	Opp. to Vote	Agreed	% Agreement	East-West Div.	Northern Neck or Southside Div.
Robert Andrews (Williamsburg)	7	7	100	E	SS
Carter Braxton, Jr. (King William)	5	5	100	E	SS
Joseph Burrus (Amherst)	4	4	100	W	SS
William Cabell, Jr. (Amherst)	6	5	83	W	SS
William Cavendish (Greenbriar)	6	6	100	W	—
Charles Foster (Patrick)	6	5	83	W	SS
Thomas Griffin (York)	5	5	100	E	NN
Samuel Hancock (Bedford)	6	5	83	W	SS
Peter Hull (Pendleton)	7	7	100	W	—
John Hutcheson (Greenbriar)	7	6	86	W	—

Federalist Bloc (continued)

Name and Constituency	Opp. to Vote	Agreed	% Agreement	East-West Div.	Northern Neck or Southside Div.
Miles King (Elizabeth City)	5	5	100	E	NN
James Machir (Hardy)	7	6	86	W	—
William Nimmo (Princess Anne)	7	7	100	E	—
Isaac Parsons (Hampshire)	6	6	100	W	—
John Pierce (James City)	5	5	100	E	NN
Richard Price, Sr. (Russell)	6	5	83	W	—
John Stratton (Northampton)	6	6	100	E	NN
Thomas Tinsley (Hanover)	6	6	100	W	SS

Republican Bloc: Delegates Agreeing with Delegate William Chamberlayne 76% or greater.

William Boyce (Surry)	8	8	100	E	NN
Joseph Chaffin (Amelia)	5	5	100	W	—

Republican Bloc (continued)

Name and Constituency	Opp. to Vote	Agreed	% Agreement	East-West Div.	Northern Neck or Southside Div.
Matthew Cheatham (Chesterfield)	6	5	83	W	—
John Clark (Campbell)	8	7	88	W	SS
Anderson Cocke (Cumberland)	8	7	88	W	SS
James Cureton (Prince George)	5	4	80	E	SS
Isaac Davis (Orange)	8	7	88	W	NN
William Dulany (Shenendoah)	8	7	88	W	—
Joseph Eggleston (Amelia)	8	8	100	W	—
Nicholas Faulcon (Surry)	8	8	100	E	NN
Nathaniel Fox (Stafford)	8	8	100	E	NN
Peter Garland, Jr. (Lunenburg)	7	7	100	W	SS
Robert Goodwyn (Southampton)	6	5	83	E	NN

Republican Bloc (continued)

Name and Constituency	Opp. to Vote	Agreed	% Agreement	East-West Div.	Northern Neck or Southside Div.
John Goodwyn (Greensville)	5	5	100	E	NN
John Guarrant (Goochland)	8	7	88	W	—
Joseph Haddin (Fluvanna)	6	5	83	W	—
Collier Harrison (Charles City)	6	6	100	E	—
John Hatcher (Cumberland)	8	7	88	W	SS
Houlder Hudgins (Mathews)	8	8	100	E	SS
Augustine Jennings (Faquier)	8	7	88	W	NN
Alexander McRae (Dinwiddie)	7	7	100	W	SS
Thomas Madison (Botetourt)	8	7	88	W	—
Joseph Martin (Henry)	5	5	100	W	SS
William Massenburg (Sussex)	5	5	100	E	SS

Republican Bloc (continued)

Name and Constituency	Opp. to Vote	Agreed	% Agreement	East-West Div.	Northern Neck or Southside Div.
Thomas Miller (Goochland)	8	7	88	W	—
Wilson Cary Nicholas (Albemarle)	8	8	100	W	NN
John Quarles (Norfolk)	4	4	100	E	—
Willis Riddick (Nansemond)	8	8	100	E	SS
Josiah Riddick (Nansemond)	8	8	100	E	SS
Martin Shearman (Lancaster)	7	6	86	E	NN
Thomas Smith (Mathews)	8	7	88	E	SS
Charles Wells (Ohio)	7	6	86	W	—
John Willis (Spotsylvania)	5	5	100	W	—
Joseph Wilkins (Greensville)	4	4	100	E	NN
James Wilkinson (Southampton)	5	5	100	E	NN

APPENDIX VII

Disagreement between Voting Blocs based on % Agreement between William Chamberlayne and Members of Federalist voting bloc.

Name and Constituency	Opp. to Vote	Agreed	% Agreed
Robert Andrews (Williamsburg)	8	1	13
Carter Braxton, Jr. (King William)	5	0	0
Joseph Burrus (Amherst)	did not vote on enough issues for accurate comparison		
William Cabell, Jr. (Amherst)	did not vote on enough issues for accurate comparison		
William Cavendish (Greenbriar)	7	1	14
Thomas Evans (Accomack)	6	1	17
Charles Foster (Patrick)	7	0	0
Thomas Griffin (York)	5	1	20
Samuel Hancock (Bedford)	7	0	0
Peter Hull (Pendleton)	8	1	13

APPENDIX VII (continued)

Name and Constituency	Opp. to Vote	Agreed	% Agreed
John Hutcheson (Greenbriar)	8	0	0
Miles King (Elizabeth City)	5	1	20
James Machir (Hardy)	8	0	0
William Nimmo (Princess Anne)	6	1	17
Isaac Parsons (Hampshire)	5	1	20
John Pierce (James City)	7	1	14
Richard Price, Sr. (Russell)	6	1	17
John Stratton (Northampton)	5	1	20
Thomas Tinsley (Hanover)	5	0	0

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