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ELEAZER WHEELOCK RIPLEY,

—OF—

THE WAR OF 1812.

*Major General in the United States Army—
Member of Congress—Etc.*

—BY—

HIS NEPHEW, NICHOLAS BAYLIES,
DES MOINES, IOWA.

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PREFACE.

In writing the life of General Ripley and for a more just understanding of his character, the author has taken the liberty to go into the details of history, the delineation of contemporaries, the results of the measures which engaged his attention, and the efforts he made to shape public opinion in regard to them.

To such results we properly look in judging of the patriotism, the sagacity and courage of Public Men and in deciding what amount of praise or censure, they merit whether in military or civil life.

The people of the United States, prior to 1815, were divided into two political parties, known as federal and republican. General Ripley, in early life, joined the latter and as conducive to a better understanding of the aims and principles which controlled him, and the respective parties, we give in an appendix, a concise history of the exciting questions which, growing out of the action of the general government, agitated New England during that period.

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LIFE OF ELEAZER WHEELOCK RIPLEY.

CHAPTER I.

Life of Eleazer W. Ripley, 1782-1815.

Eleazer W. Ripley, conspicuous among the heroes of the war of 1812, with Great Britain, a prominent and influential member of the great political party to which Jefferson, Madison, Jackson, Edward Livingston, George Bancroft and Levi Woodbury belonged, and ever a devoted friend of the National Union, was born at Hanover in the state of New Hampshire, April 15th, seventeen hundred and eighty-two.

His father, Sylvanus Ripley, was a member of the first class which was graduated at Dartmouth College. Subsequently became professor of theology in that institution, and while occupying that position was accidentally killed February 5th, seventeen hundred and eighty-seven, by being thrown from a sleigh, on his way to a neighboring town to fill an appointment. He left a widow and three sons and three daughters, to lament his early and untimely decease.

From information furnished by Mitchell's History of Bridgewater, Massachusetts, it is probable that Professor Ripley was the grand-son of the William Ripley who served in Gallup's company, in the unsuccessful expedition against Quebec, in

1690. Jonathan Ripley, the father of the Professor, was born March 5th, 1707, and died August 10th, 1772, and the Professor himself was born September 29th, 1749. On his mother's side, General Ripley was grand-son of Eleazer Wheelock, D. D., the founder of Moor's Charity School, for the education of Indian youths, and subsequently of Dartmouth College.

Doctor Wheelock was the great grand-son of Ralph Wheelock, who was born in Shropshire, England, about A. D. 1600, and after having been educated at Clare Hall, Cambridge, and become a non-conforming minister, emigrated with many others to America, in 1637, in the pursuit of religious liberty. He settled in Dedham, Massachusetts, and became proprietor of Medfield, where many of his descendants resided. Not having charge of a church, he is said to have employed himself in the instruction of youth and in giving such "wise counsel as was needed in civil and ecclesiastical matters" at that early period.* His son Eleazer, was both a christian and a soldier. In a war with the Indians he commanded a corps of Cavalry, occupied his own house for a garrison, and with great spirit and gallantry expelled the savages from his settlement. Upon the return of peace, he conciliated them by good offices and often joined them in the chase. His son Ralph, undistinguished by any civil or military prominence, acquired and sustained the character of a hospita-

*London Christian Observer, January, 1814.

ble and pious farmer. He was twice married. His first wife was Ruth Huntington with whom he was united in marriage January 8th, 1707. The children by this marriage were Eleazer, the only son, named after his paternal grand-father, and five daughters. His second wife was Mercy Standish, a descendant of Miles Standish, who figured so largely in the early settlement of Rhode Island. Some writers, probably not aware of the two marriages, have represented that Dr. Wheelock, and through him General Ripley, were lineal descendants of the famous Colonial soldier.

The son Eleazer, was born in Dedham, Connecticut, April, 1711. Receiving a handsome legacy from his grand-father, after whom he was named, he was enabled to enter Yale College, where he took his American degree in 1733, and where he was the first to receive the interest of a legacy given by Dean Berkley, to the best classical scholar. After graduation he entered the ministry and in 1735 became pastor of the North Society, in Lebanon, Connecticut. Describing his character as a preacher, his co-temporary, Dr. Trumbull, says: "His preaching and addresses were close and pungent and yet winning beyond almost all comparison, so that his audience would be melted into tears before they were aware of it." "The intolerance which drove his great grand-father from Shropshire, gave character and tenacity to his love of freedom. His love and zeal for Christ and his cause gave him pilgrim self-denial and power.

His first great work as an *itinerant preacher*, raised him to the high position of yoke-fellow of Whitefield in the Great Awakening, and shadowed forth his great good-will to man, however and wherever his Lord and Master might call him.* Soon after this he became interested in the education of youth, and formed the plan of an Indian missionary school. As early as 1743, he received, among the boys whom he was educating, as his first Indian pupil, *Samson Occum*, who subsequently became a distinguished preacher, not only in this country but also in Great Britain, which he visited in 1766 at the instance of Mr. Wheelock. While abroad he was extremely successful in securing funds for the promotion of the beneficent objects of the school, which as early as 1762 had more than twenty pupils, chiefly Indians. About 1754, Joshua Moor, having donated a house and two acres of land in Lebanon, contiguous to Mr. Wheelock's house, the institution was named Moor's Charity School.

Occum, aided by the Rev. Nathaniel Whitaker, who accompanied him, succeeded in raising by contributions about £7000, in England, and between £2,000 and £3,000 in Scotland, to be expended under the supervision of a board of trustees, of which Lord Dartmouth was president, and of the Scotch Society for propagating christian knowledge. After operating the school some fifteen years, Dr. Wheelock determined to seek a more

*Crosby's Century of Dartmouth College.

desirable location for the institution, and to obtain for it an incorporation as an academy at which white and Indian youths could receive a regular and thorough education. At that time, Harvard and Yale Colleges and Brown University, in its infancy, were the only colleges in New England. He finally selected Hanover, New Hampshire, as the site of the proposed institution, and obtained a charter for Dartmouth College, which was partly endowed by Governor John Wentworth. The school and the college were, however, kept distinct although Dr. Wheelock was president of both. The college was named after the Earl of Dartmouth, who was a benefactor of the school, but not of the college "to the establishment of which he and the other trustees were opposed as being a departure from the original plan." In 1770 President Wheelock removed to the new location which at that period was an arduous and toilsome undertaking. Of this, says one writer "Dr. Wheelock, in 1770, with his family, servants, laborers and scholars, seventy in all, with cattle and carts, implements of husbandry, books and household effects, etc., traveled slowly and wearily one hundred and fifty miles over rough roads, to their destined wilderness home." As to the condition of travel then in New England, in comparison with the present, that distinguished scholar, Professor George Ticknor, of Harvard College, gives this graphic account in his auto-biography: "My grand-father's farm was at Lebanon on the Connecticut river. Dartmouth College in Hanover, New Hampshire,

where my father was educated, was only a few miles off, and he liked to visit both. My mother went with him, and so did I, beginning in 1802. But it was a very different thing to travel then and in the interior of New England, from what it is now. The distance was hardly one hundred and twenty miles, but it was a hard week's work with a carriage and a pair of horses. The carriage being what used to be called a coachee. One day, I recollect, we made with difficulty thirteen miles, and the road was so rough and dangerous that my mother was put on horseback, and two men were hired to go on foot with ropes to steady the carriage over the most difficult places. But we got through at last, and I enjoyed it very much, for it was all new and full of strange adventure. I was eleven when I took this, my first journey." The winter of 1771 proved cold, the snow lay from four to five feet deep and provisions were procured with difficulty for the support of the many persons at Hanover.

The duties that devolved upon the president were various, but he applied himself with untiring zeal to their performance. Receiving no salary but only a support, he served as President of the college and preceptor of the school, supervised the erection of the necessary buildings, the location of roads, the clearing of land, and the building of bridges and of mills. With him it was a labor of love and of a broad, comprehensive sense of duty. As to the extent of his labors we may form an idea from the follow-

ing description, which he gave of them at the expiration of those years: "For six months" says he, "in the year, I have thirty to forty laborers, besides men in the mills, kitchen, wash-house, etc., the last year about eighty students, dependent and independent, besides my family, consequently large. I have seven yoke of oxen, twenty cows; have cleared and fenced fifteen acres of wheat, and have twenty acres of corn; have cleared pasturing, sowed hay-seed, and girdled all the growth on five hundred acres. I have enclosed with a fence about two thousand acres of this wilderness to restrain my cattle and horses. A little more than three years ago there was nothing but a horrible wilderness, now eleven comfortable dwelling houses, beside the students' house, barns, malt and brew house, shops, etc. I live in my little store house, my family is much straightened but cannot afford to build for myself."*

President Wheelock was unceasing in his efforts to advance the interests of the institution, but the difficulties which soon arose between the mother country and the Colonies, followed by open war, interfered with the prosecution of his plans, cut off his resources, and he found himself confronted by pecuniary embarrassments.

In April, 1775, intelligence reached Massachusetts that the complaints of the American Colonists met with an unfavorable reception in England, that both houses of parliament had pledged

*Dr. Crosby.

to their king their most zealous and hearty co-operation for the reduction of the colonies, and that the army of General Gage, in Boston, would be speedily and largely re-enforced. At the same time British emissaries were industrious among the Indians of the Northwest in stirring up and enlisting them with all their ferocious and merciless passions in the service of the British king. The people of New England were especially exposed to their fury, and the frontier settlement at Hanover would naturally be the first to suffer from one of their warlike and predatory incursions. Alarmed at the dangers which menaced the settlement and the college, which had so long been the object of his care and nurture, President Wheelock dispatched "James Dean, a young preacher, who understood the language of the Iriquois, to itinerate among the Indians in Canada and brighten the chain of friendship." *

The dreaded attack was happily averted, and to the long devotion of the president in his efforts to ameliorate the condition of the Indians, may possibly be attributed, in a large degree, the escape, at this critical period, from the horrors of savage warfare.

The deep anxiety which filled his mind may be inferred from what he says in a letter written in 1775: "I have sent to Connecticut upon the almost hopeless errand to hire £600 and propose to mortgage my patrimony and all

*Bancroft, Vol. iv, pp 309-10.

my interest there, as security for three or four years rather than send these boys away. He did not live to see the close of the struggle, but expired on the 24th of April, 1779, with his intellect unimpaired to the last." Says his biographer: "For the several duties of president of the school and college, professor of divinity and pastor of the church in the college, Dr. Wheelock received no other compensation than a supply of provisions for his family; and having advanced between three and four thousand dollars out of his own funds for the use of the institution at the season of its chief difficulties, he, by his last will, bequeathed to it this sum, reserving only an annuity of about one hundred and sixty dollars to his eldest son, an invalid." "The charter of the college gave him the right to appoint his successor who should continue in office until disapproved by the trustees,* and he selected his second son, Colonel John Wheelock, then in the continental army and who served under General Gates at the capture of Burgoyne. Upon the cessation of hostilities, Col. Wheelock made a successful visit to Europe in the interest of the institution and held the position of president for some thirty years.† After

*Trustees of Dartmouth College vs. Woodward, 4 Wheaton, U. S. Rep. p. 518, v. 5.

†*Wheelock, John, D. D. L. L. D., 1754-1817.*

B. Conn. studied 3 years at Yale College. Went with his father to Hanover 1770 and graduated at Dartmouth College 1771; was tutor 1772-1774; represented Hanover in the legisla-

the close of the war, the college entered again upon a prosperous career; handsome donations flowed in to its assistance, from different sources especially from the states of Vermont and New Hampshire, and the many illustrious men, who have received its benefits, bear undisputed and ample testimony to its usefulness.

Among these, General Ripley occupied a prominent position.

Born soon after the decease of his maternal grand-father, after whom he was named, deprived of paternal instruction, the supervision of his early education devolved upon a mother, who, a woman of culture and energy, applied herself with a mother's solicitude to the education and support of her young and dependent children. In a place but just reclaimed from its primeval forests and solitude, and reminded on every hand by the example of others, of what man owes to man, it was natural that youth should be inspired with eager and ambitious hopes. Under such influences the young Ripley entered the College in the fourteenth year of his age and throughout his college course sustained such rank as gave promise of future usefulness.

ture 1773; served for a time in continental army, became lieut., colonel and major; was on Gates' staff; elected president on the death of his father 1779; visited England 1780 to obtain funds; was shipwrecked off Cape Cod and lost his money and papers; was removed in 1815 on account of an ecclesiastical controversy, but restored in two years. He published sketches of Dartmouth College.—*American Addition to Chambers' Encyclopedia.*

Upon his graduation in the year eighteen hundred he commenced the study of law in the office of his cousin, Judge Woodward, at Hanover, and afterwards prosecuted it in the office of his brother-in-law, the Hon. Judah Dana, of Fryeburg, Maine.

Amid the high party spirit which pervaded the country, Blackstone and Coke could not exclusively occupy his mind, and he soon became warmly and prominently enlisted in the political contest which was then fiercely agitating the community. He espoused the side of what was then called the republican and subsequently the democratic party and advocated its principles with a zeal and efficiency that drew upon himself the notice and displeasure of some prominent and influential political opponents.

The hostility caused by his political attitude proved an obstacle to his admission to the bar, but this was finally overcome, although a feeling of deep exasperation toward the judges, who passed upon his application for admission, long remained in his bosom, and, perhaps, was never fully removed.

At this period of his life, party feeling in New England ran high and at this remote period it is difficult to realize the extent and bitterness which party animosity attained.

After his admission to the bar, he located in Maine, then a province of Massachusetts, where he was soon engaged in an extensive and success-

ful practice of his profession. At the same time his mind was not indifferent to political matters in which he took an active part and in 1807 he was returned by the town of Winslow, as a member of the legislature of Massachusetts, in which he exerted himself with great success to effect an adjustment of the conflicting land titles by which the section of the state, represented by himself, was greatly disturbed. A member of subsequent sessions, he was elected in 1811 to fill the Speaker's Chair in the House of Representatives, vacated by the appointment of the Hon. Joseph Story as one of the judges of the Supreme Court of the United States. He presided with distinguished ability, but having removed to Portland, he was not a member of the House for the following session but was returned in 1812 to the State Senate for the district composed of the counties of Cumberland and Oxford, the latter county being then the residence of his brother, James W. Ripley, and of his brother-in-law, Judah Dana, both active and influential democrats and who doubtless had an important agency in elevating him to the senate. At this period he boldly avowed himself in favor of a war with England. His senatorial duties were soon terminated by his accepting the appointment of lieutenant colonel in the United States army, conferred upon him by President Madison.

Entering upon his military duties, he was entrusted with a sub-district extending from Saco to the eastern frontier of what now constitutes the

state of Maine. He applied himself assiduously to placing his district in a posture of defence, to superintending the recruiting service, and to a severe course of military study.

Between the 18th of June, 1812, and September, his recruits were embodied into a regiment, called the twenty-first, of which he had the command and which he marched to Plattsburg, near the northern frontier. Upon the close of the inefficient operations of the campaign, his regiment was ordered into winter quarters at Burlington, Vermont, where, during the ensuing winter, he devoted himself to its discipline and by his unwearied efforts enabled it to become subsequently the model regiment of the army.

At this juncture, party spirit had attained an alarming pitch and it is not improbable that there were some who would not have regretted the disgrace of the American arms, if, thereby their own political aspirations were gratified. They denounced the war, derided its causes, and interposed obstacles to its successful prosecution. They were aided in their opposition by many who would doubtless have been eager to repel the invader of our own soil, but, viewing the war as impolitic and unnecessary, were not disposed to encourage the invasion and conquest of Canada and were desirous of expelling the supporters of the war from power, for the purpose of filling their places with men who would, as they thought, more readily avail themselves of the first opportunity to re-establish peace.

In the excitement of political and even religious strife and controversy, how liable is the mind to be carried to extremes, which are remembered with regret when the moment of excitement is passed.

Highly embellished descriptions of the disastrous character of republican policy were in many instances too successful in dispelling the influence of a proper sense of the national honor and of the national rights.

To such an extraordinary pitch did hostility to the war arise that the Senate of the Legislature of Massachusetts, upon the capture of the British ship, *Peacock*, by Captain Lawrence, declared it "unbecoming a moral and religious people to express approbation of naval and military exploits which were not immediately connected with the defence of their coast and soil," and the corporation of the city of Hartford, Connecticut, passed an ordinance excluding all troops of the United States from the city, while the state legislature was endeavoring to discourage and prevent the enlistment of soldiers.

From the position which he had occupied as an advocate of the war, and as a member of the Massachusetts legislature, General Ripley was fully apprised of the opinions of the people in that quarter of the Union, and of the great responsibility that rested upon those who were determined to sustain the policy of the government. With the natural energy of his character, he endeavor-

ed to dispel the fears of the timid, to defeat the intrigues and machinations of opponents, to strengthen the government and to promote the glory of his country. His political feelings and his love of fame were alike combined to stimulate him in his efforts to avert a disastrous issue to the war. Hence his industry the first winter to prepare himself and his regiment for active service was unceasing, and the ensuing spring found them ready for an active and brilliant career.

Promoted to the rank of Colonel upon breaking up his winter quarters, he marched to Sacketts Harbor, where his regiment was attached to the brigade of General Pike, to whom was entrusted the immediate command of the meditated attack upon York,* the capital of Upper Canada.

On the 23 of April the troops embarked upon this expedition and executed its object with great gallantry. On the morning of the 27th, a landing was effected, despite a severe cannonade opened upon the shipping; the enemy abandoned their forts and the assailants rushed forward to seize them. At this moment the magazine of the enemy exploded, annihilating the advance columns and mortally wounding the gallant Pike. Amid the consequent confusion, the enemy were noticed calling in their detached parties and concentrating their force in the town. This however was abandoned at the approach of the American troops, and left to capitulate upon such terms as the enemy

*Now Toronto.

should be pleased to grant. During its occupancy by the American army, the twenty-first regiment was stationed to protect the property of the citizens, and performed this duty to the very great satisfaction of the inhabitants of the town.

The army being re-embarked, proceeded to the assault of Fort George. Their arrival before this fort was delayed by adverse winds until the 8th of May and they were not ready for the assault until the 27th of the month. Dis-embarking under a well directed fire of their shipping, the line of the enemy was soon broken and put to flight, and the British commander, to save the garrison, abandoned the fort and commenced a hasty retreat. The 21st regiment having been formed in reserve, but slightly participated in this action, and on the 3rd of June, diminished by the enemy and sickness, it was ordered to Sacketts Harbor to recruit.

Here General Ripley had a severe attack of sickness, caused by exposure and hardship, but by the middle of July he was able to resume the active duties of the camp.

The next three months he was incessantly occupied in disciplining the new recruits annexed to his regiment, which, when the army made a rendezvous at Sacketts Harbor, in the middle of October, was found in an excellent condition for service.

The military operations of 1812, and the spring of 1813, under General Dearborn, had so

greatly disappointed public expectation, that the president was induced to remove him and he took leave of the army on the 15th of July 1813, pursuant to instructions of the Secretary of War to retire until his health should be re-established. Brigadier General Boyd and other officers remonstrated against his departure, but he answered them by referring to the command of his superiors. General Wilkinson succeeded him, but did not arrive until August to assume command.

It was determined to carry out the project of the Secretary of War, of combining the armies of Wilkinson and of Hampton in a joint undertaking for the capture of Montreal and Quebec. But unfortunately there was no good feeling between these two commanders. Hampton had no inclination to co-operate and avoided doing so.

Wilkinson on the 21st of October embarked at Grenadier Island in more than three hundred boats, protected by some vessels furnished by Commander Chauncey, and started upon his expedition, but while his army was descending the St. Lawrence, which he did not reach until the 5th of November, he was prostrated by illness.

Hampton put in no appearance and the enemy was active in impeding their progress. There was no pitched battle or effective blow, but on the 7th, 8th and 9th of November, while the army moved down the St. Lawrence as if still expecting to meet Hampton, troops were often landed to repel hostile movements and on the 10th the

troops commanded by General Boyd, and including Covington's brigade, to which Ripley's regiment belonged, were so closely pressed at Chryster's field, near Williamsburg, as to be compelled to join battle. At the close, both sides claimed the victory.

The British historian Christie, pronounces this action the "handsomest engagement during the war" from the professional science displayed by the commanders.

The battle was hotly contested for about two hours, when, according to General Boyd's official report, the enemy, having been driven from the field, did not venture to renew the attack the next day, but permitted the army to pursue its way unmolested. Gen. Covington was mortally wounded, while the American loss was 100 killed and 236 wounded. The British claimed a less loss on their side, but this is doubtful. During the engagement, the 21st regiment, after the fall of Gen. Covington, was interposed as a line for the protection of the artillery, maintained its position with unshaken courage and obstinancy, and largely contributed to avert defeat.

The troops under Boyd were sixteen hundred, and prisoners represented the English force at two thousand one hundred and seventy. When Covington fell, the command of his brigade fell upon Col. Pearce and in the report of the battle, Swartwout, Gaines, Ripley, Morgan, Grafton, Wallack, Beebee, Chambers, Johnson, Cummings,

Worth and Whiting are mentioned with distinction.

On the 12th of November, Wilkinson received a letter from Gen. Hampton refusing to co-operate with his division or to proceed further into Canada, and thereupon with the unanimous advice of a Council of War, Gen. Wilkinson abandoned the expedition and had his army removed to French Mills, on Salmon River.

And thus a campaign planned upon a large scale, from which great results were anticipated, came to an inglorious close. The cause which contributed largely to this result was the absence of harmony among those who should have merged private feelings in co-patriotic determination to make success the paramount object, and which is thus indicated by *Ingersol* in his history of the War: "On the 5th of September, 1813, he (Armstrong) arrived at Sacketts Harbor, whence he wrote in familiar terms to Gen. Wilkinson, that Gen. Hampton would go through the campaign cordially and vigorously, but resign at the end of it; be ready to move by the 20th with an effective force of 4,000 men and militia detachment of 1,500. On the supposition that Provost had taken post and chosen his *champ de bataille*, I had, adds Armstrong, ordered Hampton to the Isle Aux Noix. Wilkinson's jealousy of Armstrong's authority was as sensitive as Hampton's of Wilkinson's. On the 24th of August, Wilkinson wrote to Armstrong: I trust you will not interfere with

my arrangements, or give orders within the district of my command, but to myself, because it would impair my authority and distract the public service. Two heads on the same shoulders make a monster. Unhappily for the country, that deplorable campaign was a monster with three heads, biting and barking at each other, with a madness which destroyed them all and disgraced the country. Discord was a leprosy in the very marrow of the enterprise, worse than all its other calamities. Armstrong was on good terms with both Wilkinson and Hampton till it failed, but thenceforth the enmity became as bitter between him and both of them, as between the two themselves."—*Vol. 1, p. 295.*

The campaign, however, had tested the bravery of individual corps and their officers.

The British force at this period, in the two Canadas, was probably inadequate, if vigorously and skillfully assailed, for the defense of the immense line of frontier with a sparse population, extending from Quebec to the upper lakes and against which, at any point, an overwhelming force could be readily concentrated. Unfortunately the Secretary of War was deficient in the energy and promptitude of action suited to the crisis, and while absorbed in drawing up plans of campaigns and embodying the military precepts of Napoleon and Frederick the Great, in prolific epistles to the commanding officers he was either destitute of that capacity of discriminating character, which

would enable him to select a proper commander in chief, or from partiality could overlook the grossest military mis-conduct and palliate and excuse the most blundering operations. The American force, instead of being combined and striking a decisive blow, was stationed in detached bodies unable, from their remoteness, to support each other in the event of an attack, and passing the season in idleness, or in engagements unproductive of any signal results.

If the inefficiency of the campaign arose from the incapacity of the generals or a spirit of rivalry, which impelled them to seek individual renown regardless of the interests of the country, they should have been promptly removed and the Secretary of War should thereby have given an example of his own military genius that would prove that he had studied the precepts of distinguished soldiers to some purpose. Whatever may have caused the inefficiency of the campaign its conduct was severely criticized and created general dissatisfaction. Armstrong, Secretary of War, felt the necessity of a bold and fortunate movement to arrest the public censure, and for this purpose, determined upon a winter campaign which was subsequently abandoned in consequence, as he says, of the "blunders of Mc Clure, the crimes of Leonard and the disobedience of Wilkinson."*

After his army was placed in winter quarters,

*Armstrong's notices of the war of 1812. Vol, 2. p. 64.

Wilkinson left his camp on account of indisposition, and the command devolved upon the Senior Brigadier General, Jacob Brown, of New York, who was destined to play a conspicuous part in subsequent military operations. Having distinguished himself as a Brigadier General of state militia in repelling a British attack upon Sacketts Harbor, May 29th, 1813, he was soon after honored by a commission of the same grade in the United States army and served with ability and distinction in Wilkinson's unfortunate expedition. On the 24th of January, 1814, he was promoted to the rank of Major-General and placed in command of the military district previously commanded by Wilkinson.

In the latter part of February, such information of the position of the English force in Canada was received at Washington, that it was resolved to commence active operations immediately, and to capture Kingston, with the public stores of the enemy, which were deposited there, before the British Army should be re-inforced, which was not expected until June. Orders were consequently issued to Gen. Brown and simultaneously an order, intended to fall into the hands of the enemy and to deceive them, was issued directing the capture of Fort Niagara.*

The result of these orders is thus described by the Secretary of War. "Unfortunately circumstances had already occurred to prevent a compli-

*Armstrong's notices of the war of 1812. Vol. 2, p. 64.

ance with this order. In the opinion of the military as well as the naval commander at Sacketts Harbor, the force assigned to the service (four thousand men) was incompetent, and that had this been otherwise, the doubtful condition of the ice on the lake, would of itself be sufficient to forbid the experiment. This opinion being decisive with the President, no new or additional order was given, when (to the surprise of all having any acquaintance with the subject) it was found that the two commanders, by some extraordinary mental process, had arrived at the same conclusion—that the *main action* (an attack on Kingston) being impracticable, the *ruse* (intended merely to mask it) might be substituted for it—a belief under which a column of two thousand men was actually put in motion for the Niagara.”

In March, 1814, a concentration of troops took place at Buffalo, New York, and went into a camp of instruction, of which Gen. Scott draws the following picture: “Major General Brown, appointed to command the entire frontier of New York, had marched some days earlier from the French Mills for the same destination with the 9th, 11th, 21st, 22d, 23d and 25th regiments of infantry (not one of them half full), several field batteries and a troop of light dragoons. Scott joined him some miles east of Buffalo, March 24th, 1814. Brigadier General Ripley, Scott’s junior, was with these troops. The major general, though full of zeal and vigor, was not a technical soldier, that is, knew but little of organization, tactics, police, etc.

He, therefore, charged Scott with the establishment of a camp of instruction at Buffalo, and the preparation of the army for the field by the opening of the season.

The spring, in the region of Buffalo, is, till late in May, inclement, and March quite wintry. No time, however, was lost; the camp was formed on very eligible ground; the infantry was thrown into first and second brigades. The latter under Ripley, and the service of out-posts, night patrols, guards, and sentinels, organized a system of sanitary police including kitchens, etc., laid down rules of civility, etiquette, courtesy—the indispensable outworks of subordination prescribed and enforced, and the tactical instruction of each arm commenced. Nothing but night or a heavy fall of snow or rain was allowed to interrupt these exercises on the ground—to the extent, in tolerable weather, of ten hours a day for three months.” After such thorough military instruction these troops were well prepared for an active summer campaign, and in July and subsequent to the time when the enemy daily expected re-inforcements from Europe, Gen. Brown was instructed to cross the river, “capture Fort Erie, march on Chippewa, risk a combat, menace Fort George, and if assured of the ascendancy and co-operation of the fleet, to seize and fortify Burlington Heights,” etc.

Having been promoted in the preceding April to the rank of Brigadier General he (Ripley) took leave of his regiment in a brief and handsome

address to which a committee of the officers made a reply accompanied by the presentation of a sword as a testimonial of their respect and esteem.* Being assigned to the command of the second brigade which embraced the 21st regiment, and subsequently a company of the 17th, another of the 19th, and a battalion of the 23d, regiments, he was detached with the first brigade under General Scott to execute the meditated invasion of Canada. Although averse to the movement, neither the ascendancy or co-operation of the fleet being assured, he performed the duties assigned him with signal ability and courage.

The country, which was to become the object of immediate attack and the scene for the display of American bravery, is thus described by an American historian:

“The romantic peninsula between those inland seas, lakes Ontario and Erie, and the river Niagara, whose waters unite the two lakes, was the theatre in the summer of 1814, of an isolated and sanguinary campaign, as striking as the rugged features of that wild region. The river running about thirty-six miles from one lake to the other, constitutes the national boundary between rival empires of the same lineage, language, hardy and adventurous spirit, exaggerated to greater boldness in America by the vaster territories inhabited, waters navigated, and liberty enjoyed. Fort George in the corner between Ontario lake and the

*Niles Reg. June 4, 1814.

river Niagara on the British side, stands opposite to Fort Niagara on the American, since December 1813, and throughout the war forcibly held by the English, much to the disgrace of America, and in spite of all that public sentiment could do to goad public force to retake it. At the other end of the peninsula, the British Fort Erie stands opposite to Buffalo, where the river Niagara flows into lake Erie. Black Rock, Williamsburg, Manchester, are villages on the New York side; Newark and Chippewa on the Canadian, their Queens-town right opposite to our Lewistown. Midway between the two lakes the river Chippewa, coming from among the six nations and other tribes of the West empties into the river Niagara near the falls, opposite to the American town of Manchester. There the Niagara, about three quarters of a mile wide, after tumbling over rapids for near a mile, plunges down 170 feet of the most stupendous cataract of the world, one of the prodigious lineaments of the North American Continent."*

On the morning of the 3d of July, 1814, the two brigades left camp, and crossing the strait from Buffalo, invested Fort Erie which surrendered after slight resistance. Its garrison consisted of 130 men under the command of Major Buck, of the 8th infantry, while a large British force was at the same time entrenched at Chippewa, only a few miles distant under Major General Riall. Brown moved toward Chippewa the next day.

*Ingersol, vol. 2. p. 85.

Scott's brigade was in the advance, constantly annoyed by the enemy, and when it reached the plain, about two miles wide between Sreet's Creek and the Chippewa, the enemy made a vigorous attack which was gallantly repelled by Captain Crocker of the 9th regiment. Finding the enemy strongly posted, General Scott withdrew his brigade behind Street's Creek, where he encamped, and where he was joined about midnight by Gen. Brown and the 2d Brigade and artillery, and the next forenoon General Porter arrived with about three hundred volunteers and some three or four hundred Indians.

Early on the morning of the fifth, the American pickets were assaulted by those of the British and to repel these, after having refreshed his troops, Porter was directed to proceed through the wood which skirted the plain on his left, and after driving in the enemy's picket to fall back so as to entice the Britttsh to follow within reach of our main body. Gen. Porter proceeded to execute this order with great gallantry, when he was suddenly confronted by the advance of the whole British army, 1700 men; unable to make a stand against this overwhelming force he fell back. Riall had left his entrenchments, and crossing the Chippewa with his left resting on the Niagara river, advanced ready for battle. The continual firing between Porters force and the enemy's together with the clond of dust that rose in the distance, apprised Brown of the enemy's purpose, and he took

prompt measures to meet him. When this purpose was discovered, Scott, whose brigade was just forming under arms for exercise, was ordered to cross the bridge over Street's creek and meet the enemy. Towson's battery rendered important aid to this movement by being promptly placed in position in the plain near the bridge over Street's creek, and, by his well directed and animated fire, annoying the enemy's line. About five o'clock in the afternoon the engagement became general, and both sides fought with desperate courage and a fixed determination to conquer, the British infantry being supported by a battery of twenty pounders and howitzers, and the American by a battery with guns of inferior caliber and numbers. The brunt of the battle was maintained with equal obstinancy by Scott's brigade, Towson's artillery and by Porter's volunteers, who, recovering from their first onset, returned with gallantry to the combat. When the battle had raged for about an hour, a movement of Scott accompanied by an opportune discharge of Towson's battery spread consternation and dismay through the British ranks, and after a fearful loss on both sides, the enemy hastily retreated across the Chippewa to the protection of their entrenchments. The British loss in killed and wounded was placed by the British Annual Register at one-third of the Englishmen engaged.*

The second brigade under Ripley, in the mean-

*Ingersol, vol. 1, p. 91.

time, had advanced with the view of getting in the rear of the enemy's right flank, and Peterson, in his history of the wars of the United States, and in the biography of Brown, says: "While the brigade of Scott had been achieving the victory, that of Ripley had not been inactive. Brown had no sooner left Scott than he placed himself at the head of these battalions and advanced with them on the left, behind the woods, hoping to gain the rear of the enemy's right flank. But the almost instantaneous success of Scott, the foe was in full retreat before this could be effected: The whole of the American army, now uniting, however, advanced with loud cheers, the bands playing in triumph. It is said to have been a magnificent spectacle."

After the enemy had secured the shelter of their entrenchments and not considering himself in a condition to make an immediate attack, Gen. Brown marched his army back to the position which they occupied in the morning. On the 8th he resumed operations, when the British General became alarmed, abandoned his entrenchments, and throwing a part of his force into Fort George, retreated twelve miles further up the lake to Twenty Mile Creek where he decided to make a stand.

After following him to Queenstown and finding that he had retreated from that place, Brown abandoned the pursuit and determined to march against and capture Fort George. After a delay of several days, the march was commenced, but

on arriving in the vicinity of the Fort, ascertaining its capability of defense, and that no co-operation could be expected from Chauncey's fleet in a movement against Kingston, Brown commenced, on the 22d, a retrograde march to the Chippewa.

On the 13th Brown had written Chauncey, in command of the fleet on lake Ontario: "For God's sake, let me see you. All accounts agree that the force of the enemy at Kingston is very light. I do not doubt my ability to meet them in the field and march in any direction over their country, your fleet carrying for me the necessary supplies. We can threaten Forts George and Niagara, carry Burlington Heights and York and proceed direct to Kingston and carry that place. We have between us sufficient means to conquer upper Canada in two months, if there is prompt and zealous co-operation, before the enemy can be greatly re-inforced.

Perhaps not considering his ascendancy in the Lake secured, and not indulging in Brown's sanguine expectation, Commodore Chauncey declined the service desired of him, replying that while the navy "might be somewhat of a convenience" he confessed, in the transportation of provisions and stores for the army, yet the Secretary of the Navy had given him the higher destiny to seek and fight the enemy's fleet."

As Brown's army after having fought with brilliant success, one of the most sanguinary and most hotly contested battles that had ever occurred

upon this Continent known indiscriminately in history as the battle of Lundy's Lane, Niagara or Bridgewater, was within four weeks after the invasion of Canada, confined within the walls of Fort Erie by a greatly superior force, and only saved from capture by Herculean efforts and undaunted bravery during a siege of fifty days, it is evident that Brown greatly under estimated the strength and resources of the enemy. Relying however upon the accuracy of his information, impatient to sustain and advance the interests of his country, anxious to justify the expectation of his countrymen, that his invasion of Canada had been wisely planned and bravely and successfully executed, he was profoundly disappointed and chagrined at the condition of affairs, when an immediate forward movement became impracticable.

Says Ingersol: "On the twenty-second of July, when Brown relinquished the last hope of prompt naval co-operation, his predicament became precarious. But resolved not to abandon the enterprise begun, he came to the heroic, if not desperate, determination to disincumber his army of baggage and push forward to Burlington Heights at all events. To mask the movement, and also replenish his provisions from stores at Schlosser, the army was led back to Chippewa on the 24th of July, whose classic grounds and proud recollections soon elicited the memorable achievements of one of the most obstinate and sanguinary, altogether extraordinary battles by night."

Brown, however, was not alone in the belief of the feasibility of a march to the Heights, for in extracts from his diary, published in Ingersol's History, in 1849, he says: The army fell back to the Chippewa on the 24th. General Scott, ever ambitious to distinguish himself and his command, was solicitous to be allowed to march for Burlington Heights with the first brigade; and expressed his wish to this effect, on the morning of the 27th. On the morning of the 25th, he made the request in form, and was so tenacious on the subject, that he appeared quite vexed that the Commanding General would not divide his forces. Scott honestly believed, that with the troops he asked, he would cover himself with additional glory and add to the fame of the army."

Brown on his arrival at Chippewa was wholly unapprised that Riall had closely followed him and that reinforcements were being rapidly hastened up to him by Gen. Drummond, his superior officer, who arrived on the ground after the commencement of the battle the next day. The British intended to attack at day-break on the morning of the 26th, and on the morning of the 25th they already largely outnumbered the Americans. Brown was resting in the utmost security with not the remotest idea of an impending battle, and when this commenced more than three hundred of his troops were detailed for washing and other camp service and did not participate in the engagement of the 25th. About noon of this day Gen. Brown was startled into action by infor-

mation of the arrival of General Drummond at Queenstown with reinforcements and of an expedition toward Schlossor, the depot of American supplies.

This information it would seem from the following extract from Scott's autobiography was unfounded, for he says: "It turned out, not only not a man had been thrown over the river, but that the night before Lieutenant General Sir George Drummond had arrived by the lake with a heavy reinforcement, and had pushed forward his battalion (sixteen miles) as they successively landed. One was ahead, in line of battle and the others were coming up by forced marches.

The aches in broken bones feelingly remind the autobiographer of the scene he is describing, and after the lapse of nearly fifty years he cannot suppress his indignation at the blundering stupid report made by the militia colonel to his confiding friend, Major General Brown."

Major Leavenworth, chief officer of the day, had reported, early in the morning of the 25th, that, with a glass, he had seen a troop of horse and two companies of infantry, believed to be the British advance about two miles distant, near Wilson's Tavern, in the vicinity of the Falls of Niagara. Still thinking that no attack upon himself was intended but only a movement on the other side of the river against his supplies and without sending out any re-connoitering party to ascertain what the demonstration reported in the morning, by the officer of

the day, meant, he decided to make a demonstration that would induce the enemy to abandon his supposed advance upon Schlosser. For this purpose, General Scott was ordered to march toward Queenstown with the first brigade, Towson's company of artillery, Harris' troop and some volunteer cavalry in all a small force probably not far from 800 men. After an advance of about three miles, Scott unexpectedly found himself in the presence of the British army in greatly superior force and occupying a strong and admirably selected position. When ordered to move, General Brown says, "Scott was particularly instructed to report the appearance of the enemy, and to call for assistance if that were necessary. Having the command of the dragoons, he would have, it was considered, the means of collecting and communicating intelligence.

On General Scott's arrival near the Falls, he learned that the enemy's forces were directly in his front, a narrow piece of wood alone intercepting his view of them. Waiting only to dispatch this information, but not to receive any communication in return, the general advanced upon them."

During the day the British army had been reinforced by eight hundred men under General Drummond and after the engagement commenced twelve hundred more arrived under Colonel Scott. Undeterred by the display of forces or ignorant of it, General Scott immediately detached Colonel Jesup with the 25th regiment to cover his right and pushing through the narrow strip of wood, which

concealed the enemy from his view, with the 9th, 11th and 22d regiments, these soon became exposed to an annihilating fire from a battery, which was placed upon an eminence, supported by infantry, secure from any material annoyance from the American artillery. The battle raged fiercely, the English battery was making terrible inroads upon his troops, but Scott with his 2nd brigade maintained the unequal conflict with unshrinking courage until the arrival of other troops upon the field, when the battery was carried, the enemy driven from their position and after the most sanguinary and hardest fought battle of the war the American army was victorious.

The conspicuous part performed by General Ripley in the battle of Lundy's Lane was fully brought out by the testimony before the Court of Inquiry subsequently instituted at his own request. This court convened at Troy, New York, in March 1815, and had proceeded only in part through the testimony of one witness, when the Court was dissolved by an order which expressed the most flattering opinion of his military conduct.

The following is the testimony referred to and the order dissolving the court:

“William McDonald, Captain in the 19th Regiment of U. S. Infantry, being produced and sworn as a witness of Gen. Ripley—testified: That in the campaign of 1814, before and during the battle of Bridgewater near Niagara, he was acting aid to Brigadier General Ripley. On the morning of the 25th of July, the army under the command

of Major General Brown, was encamped on the upper side of Chippewa Creek, many of the men were that day engaged in washing and about half an hour before sunset were still out when a firing was heard, which they in camp, ascribed to Gen. Scott's being engaged with the enemy, as he had marched out with his brigade about two hours before.

When Gen. Scott first marched out, it was the general impression that he had done so for the purpose of parade and drill; our army at this time consisted of two brigades of regular troops, commanded by Brigadier Generals Scott and Ripley, and a small corps of 500 or 600 volunteers under General Porter. The total of General Ripley's brigade may have amounted to about 900: the effectives from 700 to 800. The day before at Queenstown Heights, he recollected hearing Gen. Scott say that *his* brigade contained about the same number, perhaps rather less.

About the 16th of July, they had intelligence that Gen. Riall of the British army, lay at ten and twelve mile creek, with 1,500 men; according to the general impression, he had a fortified encampment; to the best of his knowledge, no precise information was received of the force and position of the enemy between the 16th and 25th of July. On the day last mentioned, the proportion of those who formed the washing parties and scattered men of the camp amounted in the second brigade alone to 150 or 200 men; there were parties from the other, but he could not state the number.

When Gen. Scott moved out in the afternoon, no idea was entertained that there would be an action, nor had they any knowledge of the vicinity of the enemy; the first information they had was

from the firing. In the order of the encampment the first brigade under Gen. Scott rested on the Chippewa; the second commanded by General Ripley, about 200 yards, distant, with their front to the Niagara, and at right angles to the first; the encampment embraced the angle formed by the Niagara and Chippewa, which at that place formed a junction.

Across the Chippewa was a bridge on which General Scott had passed and advanced two miles, when the firing of musketry commenced; immediately on hearing it, General Ripley ordered his brigade to be formed; by the time this was effected, the report of artillery was distinguished; soon after orders were received from Major General Brown, through some of his staff, for the second brigade to advance and reinforce General Scott. Gen. Ripley, immediately on receiving the order, marched with his brigade across the Chippewa, and when about half a mile in the rear of the scene of action, it being then near dusk, dispatched the witness in advance to Major General Brown to ascertain the situation of the enemy, and what point he should march to and form his brigade.

The witness, on his way to General Brown, met his aid, Capt. Spencer proceeding with orders to General Ripley, to form his brigade in the skirts of a wood on the right of Gen. Scott's. The brigade accordingly continued to advance, and was in the act of forming the line, when Gen. Ripley remarked to Col. Miller and other commanders that, to form a line in that place would be of no consequence, as they could not advance in *line* through the woods, and they were not then in striking distance of the enemy—he added, that he would take upon himself the responsibility of moving farther on towards the enemy, before he formed; the wit-

ness left the brigade for a few minutes to apprise Gen. Brown of this movement, but did not find him, and immediately rejoined Gen. Ripley.

The march from the encampment to the scene of action was prompt and rapid, and the brigade for one half of the distance was on a long trot to keep with the General's horse—while passing the woods in pursuance of Gen. Ripley's determination to advance, the fire of the enemy was very heavy, and their shot and shells fell about us in great quantities, but was more particularly directed at Gen. Scott's brigade on the left, while the second was in the act of passing; the impression was, that the first brigade was at this time suffering very severely from the continued and destructive fire poured in upon them, and Gen. Ripley in consequence remarked to the witness and Col. Miller, that he would detach the 21st Regiment, commanded by the latter to carry the enemy's artillery, adding that unless this was done, they would destroy our whole force, or compel us to fall back; it was then completely dark, and though it was known their artillery was posted on an eminence, we had no knowledge of their number or how they were supported. The distance of Gen. Scott's line from the enemy, must have been between three and four hundred yards at that time, and there was then no firing of musketry from it. After Gen. Ripley's suggestion to Col. Miller, the latter immediately made dispositions to execute it—displayed his regiment by forming a line on the left of the road nearly fronting the enemy's artillery; Gen. Ripley, at the same time he gave the order for the 21st to storm the battery by an attack in front, directed the 23d to form in column and march against the enemy's flank; about the time the 21st was preparing to move as directed,

the witness met Gen. Brown, who enquired for Gen. Ripley, and asked what dispositions he had made; the witness informed him; he approved of it, appeared quite elated with the intelligence and accompanied him to Gen. Ripley; some conversation took place between them, and in a very few minutes both battalions were in motion; the 21st commanded by Col. Miller, the 23d by Major McFarland, but led by Gen. Ripley in person. While the 23d was advancing to operate against the enemy's flank, and about 150 yards distance from the height, they received a fire in front from perhaps fifty or sixty musketry, which threw them into confusion for a few minutes, and caused them to fall back about fifty or sixty yards; the regiment however speedily recovered and formed into column, sooner than he has ever known one formed for parade—though perhaps not with equal accuracy. Some difficulty occurred in forming the platoons, in consequence of their having been broken, but their numbers were guessed at, and wheeled into column with a view to dispatch and facilitate the movement; the whole was accomplished under the particular direction and immediate agency of Brigadier General Ripley; his exertions to effect it were very great, and no one could be more active than he was. The whole interval from the moment the fire was received in front, until the actual re-organization of the column in readiness to advance, did not exceed five minutes; they then marched directly and deployed upon the enemy's flank.

While this was performing Col. Miller advanced pursuant to his orders against the front, and succeeded in carrying the enemy's battery, consisting of seven pieces of artillery, to wit, two brass twenty-fours and smaller ones; having pass-

ed the position where the artillery had been planted, Col. Miller again formed his line facing the enemy, and engaged with them within twenty paces distance; there appeared a perfect sheet of fire between the two lines; while the 21st was in this situation, the 23d attacked the enemy's flank and advanced within twenty paces of it before the first volley was discharged; a measure adopted by command of Gen. Ripley, that the fire might be effectual and more completely destructive; the movement compelled the enemy's flank to fall back immediately by descending the hill out of sight, upon which the firing ceased. Prior to the firing of the 23d, the enemy were closing in upon Col. Miller's command, which appeared to be hard pressed, and as he conceived was recoiling; the force opposed amounted to double his number; but by the prompt aid of the 23d, the heights were gained and cleared of the enemy. After this was achieved the 21st and 23d formed in line by order and under direction of Gen. Ripley, leaving the batteries which had been carried in the rear; while thus circumstanced, a detachment of the 1st Regiment, which consisted of from 100 to 200 men, and had remained in the rear, joined them on the heights, and was by Gen. Ripley formed into the line. He could not say what had detained the above detachment so long from the scene of action.

Shortley after the line was formed, General Ripley sent him to ask Gen. Brown whether the captured artillery should not be moved off the field toward Chippewa. The witness met Gen. Brown ascending the hill, and delivered his message. The latter replied there were matters of more importance to attend to at that moment, and he would see Gen. Ripley. He appeared highly elat-

ed and rode with Gen. Ripley, but the witness did not hear the conversation which passed. The heights thus gained was a very commanding position, and contained all the enemy's artillery, capable of *enfilading* in every direction. While the second brigade thus occupied the heights, General Scott's brigade was about three hundred yards distant and no enemy between them. The firing from it had by this time nearly ceased.

After General Brown's interview with General Ripley, he left the hill, as the witness understood, in search of Gen. Scott. The 25th regiment then joined the second brigade, was formed on the right nearly at right angles to the 23d regiment, its left resting on Towson's artillery, and disposed so as to flank the enemy in case they attacked.

The artillery under command of Major Hindman and Captain Towson had come up but a few moments before, in consequence of General Ripley's request communicated by the witness to Major Hindman and complied with by him.

While Gen. Ripley's line was thus formed on the eminence, the enemy advanced upon it in considerable force—outflanking its right and left, and far exceeded it in numbers. On finding them approaching, Gen. Ripley ordered the brigade to reserve its fire until the enemy's should touch in preference to firing first. This was done with a view to observe the flash of their muskets, and to take aim by the assistance of their light. The order was obeyed; the enemy advanced within ten or twelve yards of our right, composed of the 23d regiment. After receiving their fire, we returned it; the action then became general, a tremendous conflict ensued for about twenty minutes; at the expiration of which the enemy gave way, and again fell back out of sight. We having much the ad-

vantage of the ground, the enemy generally fired over our heads, but the continual blaze of light was such as to enable us distinctly to see their buttons. An interval of half an hour followed when the enemy advanced a second time, nearly in the same manner, attacked precisely in the same point but did not approach so near, before the firing commenced. Our left had by this time been thrown forward by order of Gen. Ripley, and the line formed nearly parallel with the addition of General Porter's volunteers on the left and Gen. Scott with the three remaining battalions on the right, but the latter were so situated as not to be engaged. The contest was more severe, and he thinks longer continued than the last. The same precautions were enjoined by Gen. Ripley, with respect to his men reserving their fire, and the reception of the enemy was equally warm. Some part of our right and left gave way; but our centre composed of the 21st regiment, stood firm. with the exception of some platoons, which also fell back; the enemy were repulsed, and retired again from the contest. Gen. Ripley, in person, rallied the detachments which gave way on the right and succeeded in bringing them back into action before the retreat of the enemy. An interval, not to exceed three quarters of an hour, ensued, during which all was darkness and silence, scarce interrupted by a breath of air. The men had neither water nor whiskey to refresh themselves, after the fatigues they had endured.

The Court adjourned to Wednesday, March 15, 1815, 11 o'clock, a.m.

TROY, March 15, 1815.

The court commenced pursuant to adjournment—the same members present.

The examination of Captain McDonald being

resumed—he stated, that at the expiration of the interval last mentioned, the enemy advanced a third time to recover their artillery. It was our impression that they had been reinforced, and this was confirmed by prisoners who were taken at the time. The advance of the enemy was similar to the two preceding ones, and the fire was again opened by their line. Gen. Ripley's brigade reserved their fire as before. The duration and order of the conflict—its result and retreat of the enemy, were in all essential points similar to the last.

In every attack the enemy were repelled. Gen. Ripley made every possible exertion to inspire and encourage his troops; exposed his person during the hottest of the fire of the enemy; and as he considered more than was necessary. The witness several times endeavored to prevail upon him to retire, but without effect. His perseverance was unremitting. Sometimes acting as file closer as well as commander. He gave his orders with perfect coolness and deliberation, and attended as far as possible to its proper execution. The witness never knew him more collected. Gen. Ripley's position was never more than ten or twelve paces in the rear of his line. He received two balls in his hat, and his horse was wounded during the several encounters. He, Lieu. Col. Nicholas, and the witness, were the only mounted officers of the brigade.

After the last attack, the second brigade for three-fourths, or one-half an hour, remained on the hill with very little change of position, its left was perhaps thrown back. In the interim, Gen. Ripley dispatched the witness with orders to Gen. Porter to send fifty or one hundred volunteers under his command, directing them to report to Col.

McRae, and remove the captured artillery from the heights to the camp on the Chippewa. He delivered the orders, saw the volunteers detached and marched on the hill. Owing to there being no drag ropes for the artillery, no horses on the ground, and the guns being unlimbered, it was found impracticable to remove them, and the volunteers were then employed in removing the wounded. Prior to the attempt to remove the captured pieces, he saw no artillery corps on the ground, they having retired in consequence of their ammunition being expended and some of their caissons blown up by the enemy's rockets and shells.

On the return of the witness, after communicating the preceding order to Gen. Porter, preparations were made for the second brigade to retire agreeable to order from Gen. Brown, as General Ripley at the time informed him. He also stated that Gens. Brown and Scott were both wounded and had left the field. Our army accordingly retired unmolested and it was his impression at the time that the whole column did not exceed 700 when the retrograde movement was made. It was understood that vast numbers were employed in carrying off the wounded. Others had given out for the want of water.

When the second brigade marched to the field of battle, they met a considerable number of the first brigade returning to camp, some slightly wounded and others carried off by those who were uninjured. Many wounded were left on the ground after the battle, they being scattered over a considerable extent and the night dark, it was impossible to find them. He does not think any wounded of Brigadier Gen. Ripley's brigade was

left, unless some who attempted to get off without assistance and failed.

When Gen. Ripley gave the order for the army to retire, he directed the several commanders of battalions to collect all the wounded, and in the interval before retiring, he used every exertion to have this order properly executed.

While the army was moving back, and afterwards, he knows of no other measures being taken to furnish horses, supply drag ropes and bring off the artillery which remained on the heights, with the exception of the smaller ones, which had been rolled down the hill.

After 12 o'clock at night the army regained their camp. The witness added that the pickets and washing parties were not brought up, nor at all engaged during the action. Shortly after the return to camp, about one o'clock, Maj. Gen. Brown directed Brigadier Gen. Ripley.

The general order dissolving the court which follows, was at this period of investigation received by the President and no further testimony was heard.

I certify that the forgoing is a true copy of the minutes and proceedings of the court of Enquiry of which Major General H. Dearbon was President, so far as the court proceeded in the investigation of the subject matter enjoined by the general order constituting said court.

(Signed)

EVERT A. BANKER,

Judge Advocate.

GENERAL ORDER,
Adjutant and Ins. General's Office, }
4th March, 1815. }

The Court of Enquiry of which Major General Dearbon is President, which was ordered to investigate the conduct of Brigadier General

Ripley during the last campaign is discharged from the service.

The congress of the United States having approve his conduct by a highly complimentary resolve, and the President being pleased to express his favorable opinion of the military character of Gen. Ripley, he will honorably resume his command. By order:

(Signed)

D. PARKER,
A. and I. General.

As giving the salient points of the memorable battle of Lundy's Lane, we give the following extracts from Ingersol's History of the War of 1812:*

"When the conflict began, the British could not have been less than from two thousand to twenty-five hundred strong. Their seven pieces of artillery were posted on the summit of a hill, supported by a heavy line of infantry, flanked by cavalry. Scott's advance was lead by Captain Harris with his dragoons, and Captain Pentland's company of the 22d regiment, both officers much distinguished throughout the action, towards the end of which Pentland lost a leg, was left on the ground and taken prisoner. Between Wilson's tavern and Lundy's Lane, near the village of Bridgewater, the British artillery opened upon Scott, who formed and reversed his column, faltering under its destructive severity. As it must be some time before Ripley's brigade and Porter's could come to Scott's aid, he detached Major Jessup with the 25th, to seek and engage the British left, while the General attacked their right. The other three regiments were moved beyond the ad-

*C. J. Ingersol was a member of Congress from Pennsylvania from 1813 to 1815, and from 1841 to 1844, and occupied a prominent position during the war in the republican party.

vanced companies, and stationed where, as well as during the change of position, their exposure and losses were so severe, that both McNeil and Brady, with many, if not most of the other officers, were disabled by wounds, and their regiments so much demolished as to be confused, some retreating, their ammunition, too, at last falling short. Towson's inimitable battery on the right, by incessant reverberations of the most exciting martial music, encouraged the column, but the British guns were so high that his shot passed over them, while their's plunged down with deadly aim, and for some time Towson ceased firing, as useless. The action begun towards evening; for more than an hour it was maintained by the first brigade alone, notwithstanding great disadvantages to contend against, with the loss of half their force; Jessup's detachment, meanwhile, whose loss in killed and wounded was in proportion to the other regiments, never faltering in its singular episode, till the enemy on the right were routed. By musketry, at a hundred yards, at first, and then the bayonet, the British left was put to flight by Jessup, who thereupon seized a road, which he discovered, to turn their flank, and with that advantage routed still more of them. Scott, with enthusiastic and matchless bravery, prosecuted his onset, a personal example to all, if of extravagant, yet sustained and invincible ardor. It was Jessup's good fortune, the common effect of good conduct, to capture General Riall retiring wounded, together with Captain Loring, aid-de-camp of Gen. Drummond, several other officers and altogether one hundred and sixty-nine prisoners—as many as were left unhurt of his own command. Drummond's dispatch confessed that on his arrival he found Riall's advance in full retreat, and when his

own formation was completed, the whole front was warmly and closely engaged, the principal American efforts directed against the British left and center; after repeated attacks, those on the left forced back, and the Americans gaining temporary possession of the road." * *

"As soon as Ripley heard Scott's firing, he formed his brigade. General Brown, whose aid Captain Austin, had been to inquire what firing it was, ordered Ripley's and Porter's brigades to the field, and his aid to tell Ripley where to take his station. Brown then with the engineer, Major McRae, hastened forward. Ripley and Porter lost no time, the men moving forward as rapidly as possible over the bridge and a distance of nearly three miles to the field of battle. It was night when they formed for action. The formidable annoyance of nine heavy cannon, Drummond having added two to Riall's seven in battery on the top of a hill, at once suggested the obvious expediency if not absolute necessity, of overcoming so fatal a hinderance to any chance of success. It remains a matter of question whether Brown, Ripley, or McRae was first to declare that the battery on that hill must be stormed and taken. General Armstrong awards the honor to the engineer, Major McRae. The regiments of the second brigade were the 21st, Colonel James Miller, the 23d, Major McFarland, detachments of the 17th and 19th, with Captain Ritchie, of Major Hindman's battalion of artillery, preceded by Captain Biddle's artillery. The first regiment, Lieutenant Colonel Nicholas, was not attached to either brigade. General Ripley forthwith ordered the attack: Colonel Miller with the 21st regiment, to storm the park; Major McFarland with the 23d regiment to take it in flank, and Colonel

Nicholas to keep the musketry employed. After a few rounds, the men of the latter regiment recoiled and fell back in confusion. Major McFarland was killed, and the 23d regiment also faltered and retreated. But Ripley soon restored them to good order and in person led them up the ascent, where they displayed in a few minutes as intended. Miller, meanwhile unsupported by either the 1st or 23d regiment nevertheless moved steadily upwards with unflinching intrepidity, drove the British from their guns at the point of the bayonet, took their whole park, and then forming his line within twenty paces of the retiring but hardly retreating foe, at least twice his number, a perfect sheet of fire, at half pistol shot distance, signalized the desperate efforts of the victorious to retain, of the partially vanquished to regain the great armament and trophy, the palladium and key of the contest. During this struggle of some continuance the 23d regiment, gallantly led by Gen. Ripley marched upon the flank, by his order reserving their fire till within twenty paces, then poured it forth with such effect, that superadded to Miller's the British were driven down the hill, leaving Ripley with the two regiments, in undisputed possession of the artillery and the eminence. In the darkness of the night during that extraordinary conflict, the British General Drummond in his official report said, "in so determined a manner were the American attacks directed against our guns that our artillerymen were bayoneted by them in the very act of loading, and the muzzles of the American guns were advanced within a few yards of ours." * * * *

"The British driven down that hill leaving their killed and wounded with their guns in charge of the conquerors, took shelter and counsel about

two hundred yards from and underneath it; where shrouded in profound darkness and discomfiture, they reorganized for another effort. Soon afterwards some two hundred of the first regiment found their way up the hill whither also Major Hindman repaired with Captian Towson and Ritchie with their guns; and for a short time, General Brown was much elated with the triumph which he hoped would be conclusive." *

"The toil and tug of war, however, were only begun, when they seemed to be over. When Ripley with his 700 and Porter with his 500 men went to Scott's relief, reduced less than 400, as his brigade was broken into fragments, Drummond was stimulated as well as strengthened for further efforts by the continual arrivals of fresh troops; the British Annual Register confesses 1200, under Col. Scott, received during the action. Moved by every feeling of soldierly and national pride, duty, and propriety, he was resolved to recapture the lost guns and restore the adverse fortune of the night excited by national even continental or hemispheric rivalry."

"After about half an hours absence from their place of retreat under the hill, being reorganized and reinforced, they were heard again moving up the ascent. Ripley closing his ranks, forbade all firing till the flashes of the British musketry enabled the Americans to aim unerringly—for that purpose to reserve fire till they felt the very push of the bayonet. Still superior far in number, the British marched on again and after one discharge from the Americans as directed, many more rounds were exchanged between the combatants for some twenty minutes in close and furious battle. Never good marksmen, however, and with the disadvantage of standing lower, the

British now fired over the Americans, whose plunging shots were more effective, and the British again forced to give way, retreated down the hill to their hiding place.”

“As the regiment under Colonel Nicholas, conducted by Major Wood, was taking position, General Brown repeated to Colonel Miller that he was to charge and take the battery with the bayonet, to which he good humoredly answered. It shall be done sir.”

“After the enemy’s repulse, when attempting to retake the cannon, Brown and Scott meeting directed Leavenworth to take command of the battalion consolidated from the three regiments of infantry, which were formed in Lundy’s Lane. The 1st, 21st, and 23d regiments were now on the hill, and Major Hindman, Captain Towson and Ritchie, with their guns on the summit near the church. The 19th, 11th, and 22d consolidated, were on Lundy’s lane in proximity with Captain Bid-
dle’s company of artillery. The 25th, with Major Jessup, had returned and joined Leavenworth’s battalion. Porter’s volunteers gallantly led by him were with Ripley, and always among the foremost in the hottest fire, several of them killed, wounded and taken prisoners. After their victory they were appropriately employed in escorting the British prisoners to their place of confinement in New York.” * * * * *

“Several subsequent attempts were made by the English to retake the hill, each as desperate as the preceding, but equally ineffectual, when at last, despairing of success they abandoned the field so hotly and fiercely contested till past midnight. By their official report of the battle they admitted a loss of eight hundred and seventy eight, in killed, wounded and missing. The American loss

was seven hundred and forty-three. Every general in both armies was wounded except Ripley, who had several shots in his hat. When the victory was considered complete, Brown issued orders for a return to camp, and having as well as Scott, been wounded, he devolved the command upon Ripley, and was immediately conveyed to camp himself. Of the condition of the army at this period and of the return to camp, Ingersol says: "All that remained of the first brigade, after that terrible conflict, did not exceed two hundred and twenty men; the ninth, eleventh and the twenty-second regiments consolidated under Major Leavenworth, not altogether one hundred. Many of the cartridges with which the American's fired, when attacked on the hill, were taken from the cartridge boxes of the English lying dead around them. Men and officers, after five hours constant fighting were completely exhausted, and many almost fainting with thirst. There was no water nearer than the Chippewa. Before they marched, however, from the hill, the wounded were carefully removed, and the return to the camp behind the Chippewa was slowly in perfect order, entirely undisturbed by the enemy. Seventy-six officers were killed or wounded and six hundred and twenty-nine rank and file, of whom the first brigade lost thirty-eight officers and four hundred and sixty-eight rank and file. The commander of the brigade and every regimental officer were wounded." * * *

"No battle in America, before or since, was ever so severely contested, or attended with casualties in proportion to numbers." *

The failure to remove the captured cannon

*Ingersol in 1849.

and the return of the retreating enemy to the battle field, upon learning that the American army had returned to camp, caused the British commander to bivouac upon the battle field and claim the victory. The conduct of General Ripley became the subject of severe criticism and censure, and, without inquiring into the motives of the misrepresentations which were heaped upon his head by some of his countrymen, it is evident by a comparison of the preceding evidence of Capt. McDonald with subsequent disclosures of Scott and Brown that the latter, without just cause, looked with disfavor upon his conduct, and contributed to detract from the credit which was his due. In his memoirs, disagreeing with McDonald as to the number of charges made by the enemy and making an undeserved thrust at Ripley, Scott says that in the second advance he (Scott) was prostrated "by an ounce musket ball through the left shoulder joint" that "unable to hold up his head from the loss of blood and anguish, he was taken in an ambulance to the camp across the Chippewa, where the wound was staunched and dressed.

"On leaving the field he did not know that Major General Brown, also wounded, had preceded him. By seniority the command of the army now devolved upon Brigadier General Ripley. It must then have been about midnight. Ripley from some unknown cause, became alarmed and determined in spite of dissuasion, to abandon the field, trophies and all. The principal officers dis-

patched a messenger to bring back Scott, but found him utterly prostrate. Toward day some fragments of the enemy, seeking the main body, crossed the quiet field, and learning from the wounded that the Americans had flown, hastened to overtake Lieutenant General Sir Gordon Drummond below, who returned, *bivouacked* on the field, and claimed the victory."

In connection with the battle, Scott also makes this extraordinary statement. He says that during the advance of the enemy upon one occasion, "leaving his brigade on the right in line, he formed a small column of some two hundred and fifty men, and at its head, advanced rapidly to pierce the advancing enemys line, then to turn to the right and envelop his extreme left. If pierced in the dark, there seemed no doubt the whole would turn back, and so it turned out. Scott explained his intentions and forcibly cautioned his own brigade and Ripley's on his left, not to fire upon the little column; but the instant the latter came in conflict with and broke the enemy Ripley's men opened fire upon its rear and left flank and caused it to break without securing a prisoner."

With regard to this daring, if not quixottic movement, General Brown says in his diary, that urged by General Ripley to order up General Scott who had been held in reserve with three battalions—he rode in person to General Scott and ordered him to advance, that the enemy was again

repulsed by the whole line, and driven out of sight and adds, "but a short time had elapsed when he was seen once more advancing in great force upon our main line of troops under Generals Ripley and Porter. General Scott was now on our left, had given to his column a direction which would have enabled him in a few minutes to have formed line in the rear of the enemy's right, and thus have brought the enemy between two fires; but in a moment, most unexpectedly a flank fire from a party of the enemy concealed on our left, falling upon the center of Scott's command while in open column, blasted our proud expectations; his column was severed in two, one part passing to the rear, the other by right flank of platoons towards our main line."

After the final repulse of the enemy and his disappearance from the field, the surmises and imputations of Scott upon the final conduct of Ripley and his return to camp, are thus discredited and dispelled by the testimony of Brown in his diary. "The enemy now seemed to be effectually routed; his force disappeared from the field. In a conversation which occurred a few minutes after, between the Major General, Major Wood and McRae, and two or three other officers, it was the unanimous belief of all, that we had nothing more to apprehend from the foe with whom we had been contending; but it appeared to be admitted by the whole that it would be proper to return to camp. The idea did not occur to any one present, that it

would be necessary to leave behind a man or
cannon." * * * *

"As the General moved towards camp, many scattering men were seen by him on the road; not a man was running away, none appeared to be alarmed, but having lost their officers, were seeking water, and were either drinking or struggling for drink. This scene assured the Major General that it was proper for the army to return to camp in order that the scattering men might be arranged to their companies and battalions, the army reorganized and refreshed before morning. An officer was accordingly sent to say to General Ripley, that the wounded men and the captured cannon being brought off, the army would return to camp."

The testimony before the Court of Inquiry explains what was done and why the order of Brown was not complied with in its entirety, while the statement of the latter fully exposes Scott's "*unkown cause*" for the return of the army to camp and subject to ridicule his imputation that the movement originated with Ripley and was the result of alarm.

General Brown was greatly annoyed at the failure to bring off the captured artillery and was, perhaps, disposed to make Ripley the scape goat for any criticism that should arise on this account. His report to the secretary of war had for him no words of commendation, and says that within an hour after his return to camp, he was informed

that Gen. Ripley had returned without annoyance and in good order "that he sent for him and directed him to collect every description of force, to put himself on the field of battle as the day dawned and there to meet the enemy if he again appeared. To this order he made no objection and I relied upon its execution. It was not executed." In his diary published subsequently, he says, "General Ripley being immediately sent for General Brown stated that there was no doubt in his mind, but that the enemy had retired, and that our victory was complete. He appeared to be of the same opinion as was every officer present. General Brown then in strong and emphatic language, ordered General Ripley to reorganize his battalions, to see that they were refreshed with whatever could be afforded in camp, and put himself with all the men he could muster, of every corps, on the field of battle, as the day dawned, there to be governed by circumstances, at all events to bring off the captured cannon. It was not believed that the enemy would dare to attack him if he showed a good countenance. General Ripley left General Brown under the conviction that he would execute the order given to him; he did not make the slightest objection to it, none was suggested from any quarter." From this statement the following deductions naturally follow; that Ripley had no cause to object as he, as well as Brown and the other officers, believed that the victory was complete, that the battle field was unoccupied, and that the English, if they reappeared,

not the Americans, would be the attacking party. Had Brown been apprised of the actual state of facts as they existed at the moment, would not a peremptory order to General Ripley to become the attacking party been looked upon as an indication of military imbecility?

In alluding to this subject, Ingersol, in his history of the war, says; "All this, which became the subject of much controversy among the American officers, discrediting or defending Ripley, was more dexterously than candidly, but so commonly as to be almost always the case on such occasions, therefore not unpardonable, was turned by General Drummond into evidence that he was not conquered, but conqueror.

"A howitzer, which the enemy brought up was captured by us" said his dispatch. They captured nothing, but merely found a cannon accidentally left, when an hour after the enemy's retreat, their conquerors in complete and undisturbed possession of the guns and the field, slowly and in perfect order left it, and then to return to the indispensable repose of the camp. The struggle was over. Pride of success was supplanted by bodily exhaustion, anxiety for repose from excessive toil, and relief from tormenting thirst. The Americans therefore, but as victors, were marched to their camp as Brown had directed, though without the cannon as he had ordered. Vexed, mortified, stung by the omission to bring them away, when he heard of it, he unwittingly

countenanced General Drummond's unfair assumption by censuring General Ripley, ordering him to march next morning at sunrise to reoccupy the hill and bring away the guns, which was impossible. Ripley's division fit for that morning did not exceed sixteen hundred men; in the judgment of many, if not most of the officers, it would have been madness, with such a force, hardly refreshed from yesterday's labor (for sunrise came in three hours after their repose began, the night of the battle) to storm the hill of Bridgewater again."

At the commencement of the battle on the 25th, the English force has been estimated at 1637 men, increased by reinforcements during the engagement to 5130 including 3450 regulars, 1200 incorporated militia and 480 Indians. The American force was 750 augmented during the battle to 2417, including the 2d brigade a detachment of artillery and 600 volunteers. The loss upon the American side in killed and wounded, was about one third of their number, with an equal or greater loss upon the part of the enemy.

On the morning of the 26th General Ripley, pursuant to the orders of General Brown, again took up the march to the battle field, but finding it in the possession of the enemy, reinforced and strongly fortified, he abandoned the idea of making an attack and commenced a retrograde movement upon Fort Erie. Before doing this, however, he visited General Brown and explained

to him the condition of affairs and urged the abandonment of an attack upon the enemy. Brown insisted upon it, and as if still unconvinced of its hopelessness, would not yield an inch until the interview finally closed with this result as given in Brown's diary; "General Brown persisted when he informed the general, that General Porter was also opposed to proceeding. At these words, General Brown replied, "Sir you will do as you please;" and had no further intercourse with him until they met at Buffalo."

Although at the expense of adding to Brown's enmity to himself, there is little doubt that Ripley's persistence at this time saved the American army from annihilation. Left to do as he pleased, General Ripley immediately commenced a retreat to Fort Erie where General Brown determined to make a stand, instead of evacuating the Canadian side where he doubtless expected to be able to maintain his position until reinforcements should arrive under General Izard, in command of a large force at Sacketts Harbor; his expectation of these however was not to be realized.

Destroying the bridge across the Chippewa, and throwing every possible obstacle in the way of the enemy's advance, General Ripley arrived at Fort Erie on the 27th, and immediately applied himself with indefatigable zeal in strengthening the fortifications and rendering them secure against the anticipated attack. As soon as he could gain a short respite from these indispensable labors, he

hastened to pay a fitting tribute to the 2d brigade for their gallantry at Lundy's Lane. In his brigade orders issued at Fort Erie on the next day he commended especially the gallantry of Colonel Nicholas and Major Brook, and of Colonel Miller he said "To Col. Miller of the 21st regiment, he returned more than his thanks. He deserved the gratitude and approbation of the nation; never was an enterprise more heroically executed; never was the valor of a veteran more proudly displayed. The brigadier general was satisfied with the conduct of his staff, Lieutenant McDonald of the 19th and Lieutenant Clark of the 11th. The officers of the brigade have to mourn the loss of Major McFarland of the 23d and Lieutenant Bigelow of the 21st regiment."

The enemy did not arrive before the fort until the 3d of August, by which time, owing to the unceasing efforts of General Ripley, it had been made secure against an immediate assault, and presented such a formidable front as to induce the enemy to resort to a regular investment. Both sides henceforth applied themselves vigorously for assault and defence. Soon after the siege commenced, General Gaines, Ripley's senior, arrived and assumed the command being summoned by Brown for this purpose, while his displeasure towards Ripley was at fever heat on the day after the battle of Lundy's Lane. Gaines was satisfied with the arrangements for defence and made no alterations in them. The American force at this time was composed of the first and second

brigades, and Porter's volunteers, greatly reduced in numbers by the battle of the 25th, and an additional small force of New York and Pennsylvania volunteers, the whole combined estimated by General Drummond not to exceed fifteen hundred men fit for duty, and which he believed was inadequate to prevent his carrying the fort by storm. This he determined to do and with this object, on the morning of the fifteenth, three columns of nearly four thousand men, with *steel* as their watchword and relying upon the bayonet, advanced to the assault.

General Ripley, whose watchfulness was unceasing; on the fourteenth, about midnight, discovered indications of an assault, had his brigade instantly formed and dispatched his aid, then Lieutenant Kirby, to communicate his impressions to General Gaines. These were soon verified by the firing of the picket guard, which retreated to the works under the command of Lieutenant Belknap, who more anxious for his men than himself, was wounded as he was the last in entering through the entry port. The English columns rushed to the assault with desperate fury. On the left, where Towson's battery and Ripley's brigade were stationed, the latter in a line from the battery to the lake, the advancing column was received with such a destructive fire from the battery and the second brigade as to recoil in confusion. Repeated attempts upon this part of the intrenchments were equally unfortunate and disastrous.

Upon the right and the center, the attack was not so easily repelled, notwithstanding the gallantry of Porter and his brave associates. After several attempts, a lodgment was made in the bastion, and the enemy fought with desperation to retain it, but were finally defeated in this, and toward dawn fled in disorder, leaving the commanders of two of the columns dead, with a further loss of 222 dead, 174 wounded and 186 prisoners besides a great many killed and wounded who had fallen in the lake. Their whole loss was estimated at 962 and that of the Americans at 84.

As giving the incidents of the battle more in detail, we extract the following from an American historian:*

“General Gaine’s position on the margin of the lake, where the river Niagara empties into it, a horizontal plain a few feet above the water, was strengthened by breastworks in front, entrenchments and batteries. The small unfinished Fort Erie was defended by Captain Williams, supported by Major Trimble’s infantry; the front batteries by Captains Biddle and Fanning, the left by a redoubt of which Captain Towson had charge, all the artillery commanded by Major Hindman. Lieutenant Colonel Aspinwall was at the head of the 9th, 11th and 22d regiments of infantry, from a few weeks of admirable service became the veteran brigade of Scott. General Ripley commanded his own brigade, the 21st and 23d regiments.

*Ingersol.

General Porter, with the New York and Pennsylvania volunteers, occupied the center. Colonel Fischer, of De Watterville's regiment, led one of the British columns; Colonel Drummond a second, Lieutenant Colonel Scott the third. The first point assaulted was defended by Major Wood, of the engineers, volunteering to head the 21st regiment of infantry, and by Captain Towson. Wading breast deep through the water, the British column advanced in the dark within ten feet of the American line again and again, but was constantly repulsed. The left, attacked by Scott, was defended by Major McRae, with the 9th regiment under Captain Foster, and New York and Pennsylvania volunteers, under Captains Boughton and Harding; Colonel Drummond, with his column and the seamen under Captain Dobbs, assaulted the center with a daring courage, of which humanity was no part. With scaling ladders he led his sanguinary followers up the parapet of the old Fort, but was driven back with great carnage. Again twice mounting after being thrice repelled, they moved around by the ditch in total darkness, and once mounting with scaling ladders, overpowered and killed with pikes and bayonets Williams and McDonough with several men, severely wounding Lieutenant Watmough and carried the bastion, of which for more than an hour they held possession, defeating reiterated efforts of our people to dislodge them. There it was that McDonough, overcome, entreating quarter in vain, and desperately defending his life with a hand-

spike, was murdered by Drummond, who himself was shot in the breast, by a soldier and put to death, with no quarter, expiring on his lips, as he fell. Repulsed on the left, master of the fort in the centre, and strenuously contending for foothold on the right, the enemy for a long time maintained the battle fiercely raging. General Gaines, while striving to regain the bastion, ordered reinforcements also to the right, which were promptly sent by General Ripley and Porter, both of whom were constantly active and sagacious to face every danger and supply every want. The victory was in no small measure ascribable to the infantry covering the artillery and protecting them at their guns. While Major Hindman and Trimble, Captains Foster and Byrdsall, repeatedly failed by many devices of dauntless courage to recover the bastion, of which the enemy kept possession for more than an hour, and the conflict on the right was still undetermined, an accident fixed the fate of the right, as, and nearly where a similar occurrence brought it on. Some cartridges deposited in a stone building, occupied by the Americans, near the bastion, held by the British, exploded with terrible uproar which struck the latter with panic. In vain their surviving officers assured their men that it was an accident, not a mine, and endeavored to rally them to renewed contest. Captain Biddle at that crisis, by General Gaine's direction, wounded as the Captain was, by a shell contusion, enfilated with his piece the exterior plain and glacis, while Captain Fanning from his

battery dealt execution upon the enemy who all fled towards dawn in complete disorder and dismay. * * * *

“Foiled in this first attack on Towson’s battery, supported by the 21st infantry, again repulsed by Ripley and Wood, attempting to turn the western batteries, and though for a while in possession of an exterior central bastion, at length driven from every point, in panic and confusion, with a loss of a fourth of their force. The enemy by this defeat suffered a lesson of lasting impression which was not disguised in the official dispatches of Colonel Fisher, General Drummond and General Prevost.”

In his official report of the assault, General Gaines says: “To brigadier General Ripley much credit is due for the judicious disposition of the left wing, previous to the action and for the steady disciplined courage manifested by him and his immediate command, and for the promptitude with which he complied with my orders for reinforcements during the action.”

On the 17th, General Ripley made a report to his superior officer, in which he highly complimented those under his immediate command and from which we make the following extract.

“Brigadier General Gaines.

SIR:—I take the liberty of reporting to you the course of operations on the left flank of the camp during the action of the 15th ins.

“From indications satisfactory to me, I was persuaded very early of the enemy’s design of attacking us in our position. Before any alarm I caused my brigade to occupy their alarm post. On the first fire of the picket, Captain Towson opened his artillery upon them from Fort Williams, in a style which does him infinite credit; it was continued with very great effect upon the enemy, during the whole action.

“The enemy advanced with fixed bayonets, and attempted to enter our works between the fort and water. They brought ladders for the purpose of scaling, and in order to prevent their troops from resorting to any other course, excepting the bayonet, had caused all their flints to be taken from their muskets. The column that approached in this direction consisted of, and amounted to at least 1500 men and according to the representations of the prisoners they were 2000 strong. The companies posted at the points of the works which they attempted to escalate, were Captain Ross’s Captain Marston’s, Lieutenant Bowman’s and Lieutenant Larned’s of the 21st regiment, not exceeding 250 men under the command of Major Wood of the engineer corps. On the enemy’s approach, they opened their musketry upon them in a manner the most powerful; Fort Williams and this little band emitted one broad uninterrupted sheet of light—the enemy were repulsed. They rallied, came on a second time to the charge, and a party waded round our line by the lake, and came in

on the flank: but a reserve of two companies posted in the commencement of the action to support this point, marched up and fired upon the party—they were all killed or taken. Five times did the enemy advance to the charge; five times were their columns beaten back in the utmost confusion by a force, one sixth of their number; till at length, finding the contest unavailing, they retired. At this point we made 147 prisoners.

“During the contest in this quarter, the lines of the whole left wing were perfectly lined, in addition to the reserved; and I found myself able to detach three companies of the 23d regiment from the left, to reinforce the troops at Fort Erie, viz. Capt. Wattler’s, Lieut. Cantines and Lieut. Brown’s companies, and one of the 17th under Chum: They were in the fort during the time of the explosion and their conduct is highly spoken of by their commander, Major Brooks, their commanding officer.”

Thus signally and disastrously foiled in the attempt to carry the American intrenchments by storm, the enemy again directed their efforts to investment and cannonade in the hopes of compelling their abandonment, while the intervening space between the opposing forces was the scene of frequent skirmishes.

On the 2d of September, General Brown resumed the command, and while the enemy prosecuted the investment with unabated ardor, Brown was equally intent upon preventing the capture of

the Fort. With the inferior force under his command, his mind was filled with anxiety, and while determined to hold out to the last, and if possible, triumph over the enemy, he still looked abroad for help. On the 10th he wrote to General Izard, then in command of a large force on its way to Sacketts Harbor, imploring aid. With a total force not exceeding two thousand men opposed to four thousand on the part of the enemy, he said: "I will not conceal from you that the fate of this army is very doubtful, unless speedy relief is afforded." Izard's tardy advance caused Brown to lose all hope of timely aid from him, and to feel the necessity of relying solely upon the courage and zeal of his own small force. With an army too small to encounter the enemy in a pitched battle in an open field, it was apparent that unless Canada should be promptly evacuated, which would imply that the object of the campaign was a failure, the road to safety lay in the surprise and destruction of the works before they could be protected by an adequate force. Ascertaining the manner in which the enemy prosecuted the construction of their works and the location of their troops, Brown determined upon a sortie which he believed would prove eminently successful.

The result answered his most sanguine expectations. The British army was encamped about two miles from their works, which were carried on by parties detailed for that purpose under the protection of a brigade of infantry. To resist this force and demolish the works, consist-

ing of two batteries and the third already far advanced, was the important object in view. Alertness, preparation and courage on the part of the enemy, such as was exhibited by their foes in the previous attempt to storm and capture the American works, would probably have brought the movement to a disastrous end. About mid-day, on the 17th of the month, the American troops started upon the perilous enterprise. General Porter was ordered to make a detour with his volunteers "on the right, and throw themselves on the front and rear of the entrenchments, the first brigade under General Miller was ordered to advance between the two forts and to divide and attack each of them in flank, while General Ripley was placed in command of the reserve to be ready for any emergency."

The duties assigned to the different corps were performed with alacrity and courage, the object of the sortie was completely attained, but while occupied in sustaining those engaged in the demolition of the hostile batteries, General Ripley was struck by a musket shot which passed through his neck and he fell senseless to the ground. An officer who was by his side at the time he fell, in a letter to a friend in Pittsfield, Massachusetts, says: "That all the troops participated in the action and that towards the close of it as the General was at the head of the 23d regiment, then closely engaged at the distance of twenty yards from the enemy he received a musket shot which penetrated his neck between the

throat and spine, entering in front of the right artery and passing out behind the left artery. His aid carried him from the field of battle, insensible through the flow of blood."* From the effects of this wound he never recovered, his neck remaining stiff until the day of his death.

Of the duty to be performed by the assailing columns and of the result says Ingersol, "There were three British batteries in charge, at the moment, of the King's and De Waterville's regiments, then on duty. Announced by tremendous fire from the fort, the rain falling in torrents, so as to render impossible the free use of fire arms, Porter led his column close up to the enemy's entrenchments, turned their right without being perceived by their pickets, and soon carried by storm, battery number 3, together with a strong blockhouse. Thence instantly moving on battery number 2, he there met a stouter resistance. Colonel Gibson was killed there, but after an obstinate combat, our people got possession of the second battery. The intrepid Miller, for whom batteries had no terrors, then by Brown's direction seized the moment to pierce the enemy's entrenchments between the two captured batteries, attacking the third battery. Davis and Wood fell, but again the enemy was overcome, and abandoned his last battery. In half an hour after the first shot the three batteries and two blockhouses were taken, the magazine blown up, all the guns rendered us-

*Niles Reg., Nov. 5, 1814.

less and every object of the sortie accomplished, with considerable loss, indeed, but beyond General Brown's most sanguine expectations. Gen. Ripley was then ordered up to superintend the difficult operation which General Miller had begun, of withdrawing the troops from their conquest and leading them back to Fort Erie, an operation which Gen. Brown with his staff, personally superintended. In the performance of that duty Ripley, while speaking with Colonel Upham received a severe wound in the neck, from which he never recovered, though he survived many years, and served at one time in Congress from Louisiana." The whole British loss in killed, wounded, prisoners, and missing, was placed by Brown at one thousand men. As soon as the firing was heard, General Drummond had hastened to the scene of action and directed also his energies to the rallying of his retreating and discomfited troops and regaining the captured entrenchments, while Brown, with his design fully accomplished, was equally intent upon withdrawing his own troops to the protection of his defences. This he successfully performed, but found that the operations of the day had resulted in a loss to the Americans of five hundred and eleven killed, wounded and missing.

This days work destroyed the hopes of the enemy, and General Drummond immediately abandoned his position and sought safety beyond the Chippewa, where he fortified himself against attack. Before attempting to follow with his inferior force, Brown waited anxiously for the arrival of

Izard so that a forward movement could be made with their combined armies. Inclement weather, bad roads and an aversion, it was said, on the part of Izard to co-operate with Brown, had, however, made the advance of Izard's army slow and unreliable. Armstrong, having left the war department, was succeeded by Monroe, who issued an order on the 27th of September to Izard, directing him to assume command of his and Brown's united forces, urging him to action and assuring him of the confidence of the government in his gallantry and ability. On the 5th of October, Brown and Porter had an interview with Izard at Lewistown, both eager for co-operation in Canada. On the 8th Izard made an abortive attempt to cross the Niagara and land his division in the face of the British batteries at Chippewa, but on the 10th and 11th landed near Fort Erie. The combined divisions amounted to six thousand men, while the force of the enemy was estimated at three thousand with the advantages of a fortified position. On the 14th of October, Izard appeared before the British intrenchments, but while willing to receive an attack would not venture to assail the British position, and amid the chagrin and indignation of his army and of his countrymen, he broke up his encampment on the 21st, prepared to go into winter quarters, withdrew his army from Canada, and on the 5th of November, Fort Erie, the last vestige of American prowess on Canadian soil, was blown up by Major Totten of the engineer corps.

After protracted and severe suffering, General

Ripley so far recovered as to be able to travel, and started for Albany, where he arrived in January, 1815. During his long prostration, he received the constant and unremitted attention of his wife to whom he was married in 1811, and who was the daughter of the Reverend Thomas Allen, of Pittsfield, Massachusetts, a distinguished Revolutionary patriot. In an article in a Philadelphia Magazine,* in 1815, in reference to General Ripley, the writer paid her this tribute. "During this period of pain and danger, there was by his side, one who had previously shared his labors and privations, and now like a ministering angel assuaged his suffering. To this benign influence he may be considered indebted, not only for solace, but for the continuance of life!" The announcement of peace, which soon followed, rendered his presence unnecessary upon the frontier, and as soon as returning health permitted, he demanded and put in motion a Court of Inquiry as to his military conduct, which had been misrepresented and traduced.

Unfortunately, parties sometimes exist in armies as well as in the domain of politics, and Ripley undoubtedly felt that there was not only the mutual rivalry of brigades, with one of which he was so prominently and closely associated, but that he had also to defend himself from the enmity and attacks of his superior officer, and of others, who, from whatever cause, under the shelter of Brown's name and encouragement, had waged an

*Port Folio.

unjust and calumnious warfare upon his reputation. He had disapproved of Brown's movement into Canada, when it was made; he had not, for personal glory and from undervaluation of the bravery, strength and skill of the enemy, proposed on the 24th and the morning of the 25th, as Scott had, to march with a single brigade to Burlington Heights, a project which was soon proved by events to be wholly impracticable; when ordered by Brown, on the morning after the battle of Lundy's Lane to return to the battle field, he had dared by his persistency, to save the army in the face of Brown's exasperation and displeasure. On the other hand conscious that whenever advising, he frankly had done so upon his personal responsibility and to the best of his ability, and that whenever acting he had performed his whole duty, he felt keenly the attacks that were made upon him. He shrank not from, but courted a public, a solemn and official investigation of his military conduct. He desired that all the facts should be presented in authentic shape for the impartial judgement of his countrymen, and so as not to be distorted upon the pages of history. Upon these he did not wish to be measured by the standard prepared for him by interested foes or military rivals and aspirants.

As we have already seen only one witness had been partly examined when the Court of Inquiry was unexpectedly dissolved by an order dated the 4th of May, 1815, with ostensible reasons highly

gratifying to his feeling and honorable to his reputation. The current of public opinion flowed strongly in his favor. Congress voted him a gold medal, for his gallant conduct at Chippewa, Lundy's Lane and Fort Erie, testimonials of esteem on every hand reminded him that his countrymen appreciated his services and at last, even Brown himself, whatever may have been his mental reservations and secret animosity, felt constrained to contribute the following letter to his vindication:

WASHINGTON CITY, May, 1815.

SIR:—My report of the 7th of August, created an impression in relation to General Ripley which I by no means intended. I did not intend to implicate his courage, his talents or his zeal.

In this report I stated that I had given him orders to meet and beat the enemy on the morning of the 26th of July. This order was not given until after the command of the army had devolved entirely upon General Ripley, and I am fully convinced that circumstances afterwards occurred to satisfy the judgment of Gen. Ripley that the order could not be executed.

Justice to myself, as well as the army, require that I should make this statement.

I am etc.,

(Signed) JACOB BROWN.

Hon. ALEXANDER A. DALLAS,

Upon its face the letter would indicate the generosity and frankness of a noble-hearted soldier, anxious to repair an unintended injury to a brave and gallant comrade. The reparation to be satisfactory and complete required a publicity co-extensive with the unintended and undeserved wrong. Yet subsequent disclosures, made many years after both had been consigned to their tombs, throw a shadow upon the sincerity and magnanimity of Brown, and that while endeavoring to ingratiate himself with John Q. Adams, just elevated to the presidency, he was engaged in prejudicing the mind of the latter against Ripley.

In his diary under date of November, 1825, Adams gives this exposure of Brown's feelings. "Brown, general, with whom I resumed and finished the conversation concerning the postmaster general, Mr. McLean, and H. Lee, of whom I spoke to him as I felt. I had also read through and returned to him his manuscript, narrative and documents, relating to the Niagara campaign of 1814. His opinion of Ripley's shrinking from responsibility, the influence under which he altered his report to the war department, containing an implied charge against Ripley, and gave him a certificate of good conduct under a promise that it should be confidential and never published, the subsequent allusion to it by Ripley in a publication, and the interposition of Mr. Dallas and Mr. Monroe to pacify these differences were, in all their details, new to me. Brown thinks that the

anxiety to retain Ripley as a New England man in the service as major general at the reduction of the army in 1816, was to propitiate a powerful influence of Mr. Monroe's electioneering party for the then ensuing election of P. U. S.

CHAPTER II.

Upon the return of peace, the army was reduced to a peace establishment and was re-organized. Two Major Generals, Jackson and Brown, and four Major Generals by brevaet, Macomb, Gaines, Scott and Ripley were retained in the service. Macomb entered the army in 1801 as second lieutenant of dragoons. Gaines entered the service in 1799 as second lieutenant in the 6th infantry; Scott followed him in 1808 as captain of light artillery, and Ripley followed him in 1812 as lieutenant colonel. The United States was divided into two military divisions, Jackson being assigned to the command of the southern and Brown of the northern, and General Ripley was assigned to duty in the division of the latter, and on the 27th of May, 1815, issued orders upon assuming command of his department, which included New Hampshire, Massachusetts, Connecticut and Rhode Island. He immediately started upon a tour of inspection and upon his route was greeted by the most gratifying demonstrations of the deep hold that he had secured in the hearts of his old friends and neighbors. He was met and escorted into Portland by a large cavalcade irrespective of party. Bath greeted him with enthusiasm, and when he visited Hanover, his native town, he was received with every mark of respect and personal attachment, and was presented by the citizens

with a sword * as a testimonial of their appreciation of his gallant services in behalf of his country. The surrounding circumstances brought to mind in vivid contrast his departure from them a few years previous, a poor youth to seek his fortunes upon the frontier of Maine, and his then position as a major general in the army of the United States, a distinction won, when only thirty-three years of age, for gallant and meritorious conduct on the field.

His headquarters were fixed at Boston, and while here his notice was attracted to a recent publication, which abounded in the grossest misrepresentations of the conduct of the American army at the capture of York, (Toronto) in upper Canada. Indignant at such a perversion of facts, which if true, discredited the army and placed them upon a level with a horde of marauding vandals, he hastened to repel the unjust and malignant imputations; and to place the history of the affair in its true colors; he addressed the following letter, intended for publication, to his old commander, General Dearborn:

HEADQUARTERS, BOSTON, Aug. 15, 1815.

SIR:—I take the liberty to state the occurrences at York, after the capture of that place by the American force on the 27th of April, 1813. You will then be able to determine how much truth there is in the work entitled "A Continua-

*Niles' Reg., Vol. 11, p. 62.

tion of Goldsmith's History of England," so far as relates to the following article.

Previous to the place being carried, an order had been issued by the ever to be lamented and gallant General Pike, prohibiting every species of plundering or depredation under the penalty of death. After the capitulation, a guard was posted in the town, by direction of General Dearborn, to carry this order into the strictest effect. As field officer of the day, during the first night, I had occasion repeatedly to visit the guard and always discovered it extremely vigilant and attentive. The next morning I had occasion about seven or eight o'clock to visit the town. I met a straggler of the volunteers with his knapsack full of plate. I ascertained it belonged to a lady, the daughter of Honorable Judge Powell; it was immediately returned to her. I reported the circumstance to General Dearborn, who ordered the man confined, and directed me to order up the 21st regiment under the command of Major Grafton to the town, for the purpose of protecting the inhabitants. The officers were quartered in the town, and the system established was for sentinels to be stationed to prevent depredation whenever it was requested. If this regiment did its duty, it will at once be perceived that there could be no plundering; and that it did perform its duty will appear from several circumstances; that the knapsack of every man was searched previous to embarking, and not an article of plundered property was found; that the inhabitants of

York were particularly pleased with their deportment in the city, and on every occasion testified their gratitude for their protection and when Captain Pelham was wounded and taken prisoner at Chrystler's Field, no sooner was it known that he was on duty in the regiment which protected the property of the inhabitants of York, than at the intercession of many respectable officers of the British army, he was paroled by Sir George Provoost, on that very account expressed in his letter, notwithstanding other officers at the same time were imprisoned under the question of retaliation agitated between the governments of the two nations; an instance of liberality which shows that acts of courtesy and kindness were properly appreciated by that officer.

Previous to the 21st regiment being ordered to the city of York, two buildings that had been evacuated and stood detached, had been stripped of many valuable articles and a schooner (private property) was also destroyed. When these facts were made known to Major General Dearborn, he instantly ordered the claims for damages to be liquidated, and payment to be made. It was done. In the case of the property taken from the buildings, it was made to the proprietors personally. In that of the schooner, as the owner was absent from town, Major General Dearborn sent the money to Judge Scott, who receipted for it.

When the place was captured, large stores of flour, feed and peas were found in the depot.

Agreeably to the articles of capitulation, these were delivered to us. Major General Dearborn directed a large proportion of them to be delivered to the needy in the city, and particularly to the widows and families of the British and Canadian soldiers who had been killed in the action. In addition to this, considerable quantities were deposited with the clergymen of the place to be distributed in a similar manner.

I have seen many British officers, who have always complimented our forces for their liberality of conduct on this occasion, manifested at York, and the inhabitants had applauded it in such forcible terms, that they had even been accused of disloyalty by the British army. As respects the manner in which York was stated to be evacuated, in the work to which I have alluded, it is perfectly incorrect. The object of striking York at the opening of the campaign, was solely to destroy the frigate building there, and the military and naval depot. The first object was effected in order to ensure our control of Lake Ontario during the campaign of 1813. The second, with a view to destroy the military depot, from whence the right and central division of the army, under Generals Proctor and Vincent, drew their supplies; and the naval depot, to paralyze the efforts of the British in building ships on Lake Erie. It was settled before the army left Sackett's Harbor, these objects accomplished, the division would sail for Niagara and operate against Fort George.

After the reduction of that post, the army was to concentrate, by means of the fleet on Lake Ontario, and reduce Kingston. I will add that when we abandoned York, no British were, to my knowledge, nearer than Fort George on one side, and Kingston on the other.

Yours respectfully,

E. W. RIPLEY.

MAJ. GEN. DEARBORN. * Maj. Gen. U. S. Army.

The conduct of the American troops at York, as thus described by General Ripley, was in marked contrast with that exhibited about the same time by British troops at San Sebastian, Spain. In a letter from that place, by the Editor of the New York Christian Advocate, published January 17th, 1889, the editor, after describing the capture of the forts occupied by the French, writes:

“Notwithstanding the fact that the people of San Sebastian hailed the arrival of the allies, the English soldiers, after the victory, obtained access to the wine and spirit vaults, became drunk, and put the town to fire and sword. They robbed the houses, massacred the inhabitants, fearfully outraged women, and finally set fire to the dwelling-houses. Women without clothes and old men filled with wounds fled to the mountains, and died of hunger. Every building in the city, except thirty-eight, of which two were churches used as hospitals, was burned, and all the records, civil and ecclesiastical, consumed. How far the offi-

*Niles' Reg., Vol. 9, p. 160.

cers of the army were responsible has been a matter of debate ever since. The English accounts say they did all they could to check the devastation, but this seems incredible.”

The next year he received orders transferring him to the southern division, commanded by Jackson, with his head quarters at New Orleans, where he arrived in January, 1817, and was received by a salute from Fort St. Charles. On his way to New Orleans, he visited Jackson at Nashville, Tennessee, who was at that time extremely solicitous that Colonel Drayton of South Carolina, should be appointed by President Monroe as Secretary of War in the formation of his first cabinet. Drayton had been a pronounced federalist and opponent of the party, to which Monroe and Jackson belonged, but when war was finally declared, regardless of party feelings, he enlisted in its prosecution with patriotic and unfaltering zeal. This, with his acknowledged ability, attracted the notice and secured the friendship of Jackson and drew from the latter that memorable letter, dated November 12, 1816, which, many years afterward, was destined to play an important part in securing Jackson's own elevation to the presidency. In a previous letter he had strongly urged the appointment of Drayton for Secretary of War. In this, he renewed his efforts in this direction, and in the course of it said, “Since my last to you, in which this subject was named, General Ripley has arrived here, who heartily concurs with me in the opinion that

Colonel Drayton is the best selection that can be made * * * * Everything depends on the selection of your ministry. In every selection, party and party feeling should be avoided. Now is the time to exterminate the monster called party spirit. By selecting characters most conspicuous for their probity, virtue, capacity and firmness, without any regard to party, you will go far to, if not entirely eradicate those feelings which, on former occasions, threw so many obstacles in the way of government, and perhaps have the pleasure and honor of uniting a people heretofore politically divided. The chief magistrate of a great and powerful nation, should never indulge in party feelings." This letter subsequently enlisted many prominent federalists in an ardent support of Jackson for the presidency, but did not succeed in convincing Monroe of the propriety of making the suggested appointment. He replied at great length and with great candor, adverting to the course of the federal party, to his belief that some of its leaders were unfriendly to our system of government, but that the dangerous purposes ascribed to some of the leaders were never adopted, "if they were known," especially in their full extent, by any large portion of the federal party, but were confined principally to certain leaders, and they mostly to the eastward;" but he adds, "to give effect to free government, and secure it from future danger, ought not its decided friends, who stood firm in the day of trial, be principally relied on?" Would not the association of

any of their opponents in the administration itself, wound their feelings, or at least of very many of them, to the injury of the republican cause?" * * * My impression is, that the administration should rest strongly on the republican party, indulging to the other a spirit of moderation, and evincing a disposition to discriminate between its members, and to bring the "whole into the republican fold as quietly as possible." Mr. Monroe subsequently concluded to appoint General Jackson himself, but refrained from doing so, upon information through a friend of the latter that he did not wish to be nominated. Subsequently Mr. Calhoun was nominated and accepted.

The correspondence between Jackson and Monroe remained unpublished for seven years, neither anticipating its publication, and when published it became conspicuous in the political and turbulent contests of the day, which extended during the subsequent turbulent administration of General Jackson as president, and afforded a memorable illustration that as "times change we change with them."

In April, 1817, General Jackson issued an order to his subordinate officers not to obey any order emanating from the war department, unless coming through him as the organ of communication. The president was in a strait between his acting secretary of war on the one hand and General Jackson on the other, and did nothing, until finally the question was brought to an issue by

the refusal of General Ripley, in obedience to this order of General Jackson, refusing to obey an order from the war department. He promptly reported the facts to his superior officer. Jackson at once assumed the responsibility of the act, and on the 14th of August wrote to the president justifying his own conduct.

When Mr. Calhoun came into the war department, he promptly decided that "on ordinary occasions orders from that department would issue only to the commanding generals of divisions, and in cases where the services required a different course, the general-in-chief would be notified of the order and with as little delay as possible." At the same time, he addressed a private letter to Jackson explanatory of the order and his views, which was highly gratifying to Jackson. The incidents here referred to indicate the military relations and the good feelings that existed between Jackson and Ripley and which were carried by them into private life.

In addition to the duties incident to his command, General Ripley was also employed upon extra service in projecting and seeing to the establishment of fortifications and to other work for the better security of the territory falling within the limits of his military department.

In 1820, tired probably of the inaction incident to a time of peace, he resigned his commission in the army, and resumed the practice of his profession in New Orleans. He soon after became in-

volved in a protracted and unpleasant controversy with the government, relative to the adjustment of his accounts, and in 1822 the government instituted a suit against him as a defaulter. After the lapse of years, obtaining a decision against the government, the latter, by a writ of error, carried the case before the Supreme Court of the United States, where it was tried in January, 1833, *ex parte* on the part of the government. Judge McLean delivered the opinion of the court, and, after laying down the principles which should govern in adjudicating upon the claims of the defendant, remarked that "the distinguished services rendered by the defendant during the late war are advantageously known to the country; but the claims set up in the case under consideration, must be brought within the established rules on the subject, before they can receive judicial sanction. And, as in the opinion of the court, the district court erred in their instructions to the jury, which were given without qualification, the judgment must be reversed and the cause remanded for further proceedings."

With this decision for a guide, the case again came up for trial in the inferior court in 1835, when the jury returned a verdict in his favor for \$20,596.12.

At the session of Congress in 1836 the character of this prosecution was brought to the notice of the Senate by Mr. Hubbard of New Hampshire, who, in an able speech, exposed its injustice, and effected the passage of a bill directing the pay-

ment of a part of the amount awarded by the jury.

These proceedings dispelled any prejudice remaining against his conduct as a public officer, but could not repair the inroads, which a keen sense of injury and injustice, sustained through so many years, had made upon his health.

After returning to the bar, he was soon engaged in an extensive practice, but at the same time was deeply interested in developing the great agricultural and commercial resources of his adopted state by a wise and liberal system of internal improvements. With these feelings, he became a member of a Board of Commissioners of Internal Improvements, which was established, consisting of Henry Johnson, governor and *ex-officio* president of the board, E. W. Ripley, Phil. Thomas, Colonel Olivier, H. Bry and Jacque Villere. As soon as the Board organized, a plan of operation was agreed upon and the duties of each member designated, embracing an examination of the country in which he resided. In 1826 General Ripley and General P. Thomas examined what are called the Florida Parishes, situated between the Mississippi and Pearl Rivers. Governor Johnson and General Villere examined the parishes composing the then first, second and fourth judicial districts, Governor Johnson and Colonel Olivier the parishes of Attakapas and Opelousas, and Mr. Bry examined the north-western parishes. The improvement of the Bayou Plaquemine being

considered of very great importance, was examined by the whole Board.

In November, 1826, the members met in New Orleans and presented in writing the results of their examination, agreed upon the substance and form of the report, and confided to General Ripley the duty of drawing it up, which he did, accompanied by some general views calculated to awaken and stimulate public interest on the subject of internal improvements. This report to the legislature, so written, was signed by all the members, except General Villere, who was absent when it was presented to the Board. In enlarging upon the subject, the commissioners said: "While, however, the commissioners are sensible of many defects, they have the consolation arising from the reflection that they have made their greatest efforts, however humble may be its claim, to advance the prosperity and welfare of Louisiana.

"The subject of internal improvements they deem of transcendent importance; not only the present generation will feel its beneficial effects; but it will impart its character to future ages, and posterity will hail with gratitude that legislature which first commenced the mighty work. We hope and trust that it will rapidly progress. With the just pride of citizens of the American Republic, we have seen the gigantic strides of some of our sister states.

"New York, possessing about the same area as

Louisiana, has the merit of taking the lead, and has thrown civilized Europe in the back ground, by the boldness of her plans and the rapidity of their execution. Next to her is the young state of Ohio, which is now excavating a canal of more than three hundred miles along a tract of country, which, thirty years since was inhabited only by savages. Other states have caught the generous enthusiasm, and the most intense emulation has been excited in a cause calculated to develop all the local resources, and to advance rapidly the prosperity of the individual states.

“And will Louisiana pause on a subject so interesting to her welfare? Will her citizens remain in apathy, when they see the enterprise of New York already extending its system of canals to the very banks of the lakes, and opening cheap water transportation to the shores of the Hudson for immense regions, which heretofore have been considered indissolubly united with the great parent of our western rivers? Shall we slumber in tranquillity, when we behold the spirit of the age, and the enterprise that supporting and supported by our free constitution, is opposed by no obstacles and tired by no exertion? An enterprise that has already broken down the Alleghany and is, with rapid progress, bringing the waters of the Ohio and Mississippi to mingle with the Hudson.

“Your commissioners fondly anticipate that the enlightened legislature of the state is thoroughly awakened to the importance of this subject. Supported by public opinion, we have no doubt

they will enter with energy upon the career of internal improvement, and impart to every section of Louisiana, already so advantageously placed, by the bounty of providence, those ameliorations, which are necessary to advance her highest prosperity.”

Such appeals were not in vain, and in the course of a few years, not only were large amounts expended upon local objects, but the gigantic scheme of connecting New Orleans and Nashville by a railroad was conceived and commenced. A worthy and patriotic spirit pervaded the people. New Orleans subscribed liberally to the undertaking, the state advanced its credit for a portion of the work, the coffers of individuals were generously opened to push on the enterprise, when the monied crisis of 1837 burst upon the land, and broken banks, universal distress and prostrated credit, suspended the prosecution of the work. Gradually recovering from the effects of this sudden blow, with confidence restored, her population augmented, her agriculture flourishing, her commerce wonderfully increased and expanded, the public mind of Louisiana again reverted to works of internal improvements, and the state can now point to her splendid system of railways and her water communications as indicating that she has not been idle by the side of her sister states in the march of improvement and the development of her agricultural and commercial interests.

In the presidential contest of 1828, between

Jackson and Adams, General Ripley warmly supported the former, his personal and political friend, and was the author of the address issued to the people of Louisiana by the democratic state convention. After glancing at the early career of the rival candidates and the military conduct of Jackson in subduing the Creek Indians, the address pays a glowing tribute to his character, and closes with the following allusion to the duty of Louisiana:

“In the approaching election, Louisiana has a more important part to perform than any of her sister states. It was here that Jackson gathered his brightest laurels. In defense of our city and all its endearing relations, he displayed the noblest exertions of heroic virtue. * * *

* * * While he (Mr. Adams) was favorable to a stipulation in the treaty of Ghent, to give to England for a limited time, the free navigation of the Mississippi, and thus afford to English capitalists and subjects, the entire control of our commerce and commercial towns; General Jackson was hastening through trackless deserts to our defence. The glorious renown which we acquired under his auspices, is our dearest inheritance; it has made the name of Louisiana respected throughout the world; his fame and that of our fair capital are indissolubly connected to the latest posterity. The annals of every age have associated the battlefields of freedom with the chief by whose skill and valor the bright trophy has been achieved. The names of Jackson and New

Orleans are destined to remain united through every future generation. Together they will adorn the pages of impartial history; together they will excite the efforts of the pencil; together they will awaken the inspiration of the bard. And shall posterity say that we have been ungrateful to our great benefactor? No, fellow citizens, such lasting disgrace will not darken the bright pages of our history. Jackson is the choice of this state—the Louisianians are brave and they admire his valor—they are patriotic, and they respect his ardent love of country—they are generous and enthusiastic, and they will evince their heart-felt gratitude to the savior of the state.”

The whole address, pervaded with the spirit of the preceding extract, was unanimously adopted as was also a resolution presenting the thanks of the convention “to General Ripley, and the committee, for the able and eloquent address which the convention has adopted.” Six thousand copies of the address and the proceedings of the convention were ordered published, half in French and half in English. The convention consisted of some of the most distinguished citizens of Louisiana, conspicuous for many years, in the history of the state, and was presided over by Bernard Marigny, a name so well known throughout the valley of the Mississippi, during the first half of the century.

At this time, New Orleans, through its press and the spirit of its inhabitants, and through com-

mercial relations, exerted great influence over all the vast region watered by the Mississippi river and its tributaries. The recollection of common achievements in subduing Indian atrocities and in conquering British invaders, was a chord which, when once touched, vibrated in sympathy upon the hearts of the western people. The address of the Louisiana convention, reflected this feeling and aroused it to action. It swept along with resistless might, and the magnetic influence, the personal popularity, and the zealous efforts of the imperious Clay, were unable to stay its progress, but sank before it, and in the election that followed, not only Louisiana, but all the states west of the Alleghanies, gave their undivided electoral votes to Jackson, who was elected president over John Quincy Adams by one hundred and seventy-eight, to eighty-three electoral votes. At the next presidential election, Clay himself being the candidate in opposition to Jackson, whose bank policy had been the object of bitter and violent attack, fared no better than Adams, and was beaten by a vote of 219 to 49, although he succeeded in securing the vote of Kentucky.

General Ripley subsequently removed to the parish of East Feliciana, and represented the senatorial district, composed of that and the parish of West Feliciana, in the state senate, during the session of 1832. The pages of the Senate Journal for this session bear testimony to the energy of his character, the spirit of his principles and his assiduity in the discharge of his public duties.

Among the important questions that agitated the senate at this time was one to pledge the faith of the state in favor of the Union Bank of Louisiana, and another, was a resolution instructing the members of Congress from the state, to vote in favor of the re-charter of the Bank of the United States. He was opposed to both propositions.

The condition of that numerous class, which is employed upon our western waters and the diseases and misfortunes to which they are exposed, had enlisted his sympathies and made him anxious to devise measures for their comfort. For this purpose he introduced a resolution, with a view to memorializing Congress to establish a marine hospital on the western waters.

Among the pleasing duties which devolved upon him at this session, was that of presenting, as chairman of the committee, a resolution expressing the gratitude of the state, to Edward Livingston, for the criminal code compiled by him, and directing the donation to him of a gold medal. For this eminent citizen, General Ripley entertained profound friendship and respect and had been one of the most active and influential persons in securing Livingston's election to the United States Senate in 1829. Livingston at this period had become one of the most eminent of American statesmen, philanthropists and jurists.

In addition to his civil services, Livingston had acquired a strong hold upon the affec-

tions of the people of Louisiana, by the efficient and valuable aid he rendered in repelling the British invaders of her soil in 1815.

Belonging to the same political party and animated by a like high sense of honor, Jackson and Livingston, colleagues in Congress, towards the close of the last century, had, during their congressional service, formed a mutual attachment that remained unbroken during subsequent years. When the former as military commander, rushed to the defence of New Orleans, he found Livingston animated with a stern spirit of resistance and ready as volunteer aid to render all possible assistance. This proved so valuable, that he received the most gratifying commendations from his heroic chief. With such claims upon the gratitude of the state, General Ripley was drawn to the support of Livingston for the United States Senate in 1829, by the similarity of their political views and the confidence he felt in the wise influence which Livingston could exert at Washington.

Hence he became warmly enlisted in the successful movement to send Livingston to the Senate, which result, combined with Jackson's personal friendship, doubtless led soon after, in 1831, to the transfer of Livingston from the Senate to the President's Cabinet as Secretary of State. The President had fully tested his patriotism, his zeal, and his ability in their personal and political relations in Congress, and in military operations; he now felt that he could safely confide in the

prudence and patriotism of Livingston as an adviser, amid the storms which threatened his administration. Of the wisdom that prompted this exchange from the Senate to the Cabinet, Bancroft, the historian, says:

“The salvation of the country turned on the right interpretation of the principles of democracy. Jefferson, its early leader, was no more, but Madison lived long enough to expound its acts and resolutions of former days; and Jackson as President of the United States, having Livingston as his adviser, gave authority to that exposition. Who that looks back upon those days does not rejoice that the chief magistrate was Jackson, and that his adviser was Edward Livingston, who to the clearest perceptions and the finest purpose added a calm, conciliating benignity and the venerableness of age, enhanced by a world-wide fame.”

As Secretary of State, Livingston drew the draft of that memorable Nullification Proclamation of Jackson, in December, 1832, which placed that grand seal of reprobation upon the conduct of South Carolina and her doctrine of the right of secession. It also indicated not only the calm judgment, the fixed determination, and undying loyalty to the Union of the president, but also a fuller and more complete exposition of the utterances of Livingston in Congress, on the 21st of June, 1798, on the alien and sedition laws.

Strong as was the popular feeling in favor of electing Livingston to the Senate, an unexpected

opposition sprang up from some local questions in which the people of the Florida Parishes were deeply interested and which threatened to prove serious to the friends of Livingston, unless removed. This was happily accomplished through the intervention of General Ripley, upon whose suggestion, Honorable Cade D. Strickland, a member of the legislature from those parishes, addressed a letter to Livingston, who gave a response that proved satisfactory. In this he explained not only what course ought to be taken in justice to all parties as to the local matters referred to, but also expressed the opinion that senators should be governed by the instructions of the general assembly of the state which they represent.

CHAPTER III.

In 1832, General Ripley was a candidate for Congress in the second congressional district of Louisiana which lay east of the Mississippi river, but was defeated by a small majority. He was returned, however, at the next election in 1834, as a member of the 24th Congress and was re-elected in 1836, by an overwhelming and most flattering majority.

When a candidate, his views were fully explained upon the various political questions which at that period agitated the public mind, and which for a long time continued to occupy and divide public opinion. He clearly and emphatically condemned the doctrine of nullification, was hostile to the incorporation of a national bank as unauthorized by the constitution, took early and advanced ground in favor of donating the public land to actual settlers, and advocated the constitutionality of the Tariff of 1828, although favoring its modification, and gave his views upon the question of Internal Improvements.

In 1831, when a candidate for the state senate, the substance of the queries propounded to him embraced three distinct subjects: 1st, the revenue laws of the country as embodied in the Tariff of 1828; 2d, the power of Congress to appropriate money for Internal Improvements; 3d, the con-

stitutional power of Congress to incorporate a national bank.

In a speech delivered in April, 1831, and published in connection with a letter dated October, 1831, he fully and frankly answered these questions. He treated the Tariff in two aspects: 1st, its constitutionality; 2d, its expediency. In the discussion of the first head, he said: "By the present constitution, the people of the different states have, by a mutual compact, parted with a portion of the state sovereignty and vested it, without any provision for its recall, in a national government. The states, then, had their general sovereignty limited by the powers delegated to the general government, while the national government, on the contrary, has its powers limited by the very enumeration of powers contained in the Constitution of the United States, and particularly by the Articles of Amendment. But both sovereignties, thus limited, derive their powers from the same source, to wit: the people of the several states. They have seen fit, instead of imparting them to one government, either of the state or the United States, to divide them, to commit certain powers with their necessary attributes to the national government, and deprive the states of them, and to retain the residue to the states respectively. Thus in fact, rendering neither of these governments the possessor of the whole attributes of sovereignty; but only in part. They possessed the power to modify their social compact as they pleased. They could have done away

with a national or state government entirely, if they had thought proper. They are the source of all legitimate power, possessing the right to build up the social edifice with what dimensions they please.

“The real structure of our form of government, then, appears to me to be this: that the people have determined to divest the states of specific attributes of sovereignty, vesting them in a national government, and they have gone further, and in certain enumerated cases, have prohibited the exercise of certain enumerated powers to the states respectively. The national government then, derives its existence from the same source which the state governments do—the compact of the people of the states. It is within the limits of its sovereignty as purely popular in its origin as the state government—resting on a similar basis, that of its having been enacted by “We the people of the United States.”

After enlarging upon this point and quoting the Articles of the Constitution, which give Congress the exclusive right of laying and collecting taxes, duties, imposts and excises, and to regulate commerce with foreign nations and among the several states and with the Indian tribes, he says: “When I examine the tariff of 1828, I find it an act to lay duties on certain imports and that the sole provisions relate to duties and imposts upon articles of merchandise imported into the United States. I am therefore brought irresistably to the conclusion that the act is within the limits of the

power delegated to Congress and is therefore constitutional." * * * * "The other text of the constitution, the power to regulate commerce with foreign nations is equally comprehensive. That power is a sovereign power, which the people of the United States have vested in Congress. Its meaning is, that the whole mode by which our interchange of commodities to be carried on with foreign nations shall be vested in the government of the United States. This power is always carried into effect in such a manner as shall most conduce to the interest of the nation adopting a particular system. In our system, we have resorted to many changes at different epochs of our history, according to our peculiar wants. * * * *

After the adoption of the constitution, it became evident that unless we imposed high duties upon foreign vessels, Great Britain from her superior skill at that time, from the cheapness of her labor, and from the amount of her capital, would underbid our ship-owners in our own ports for freight, and thus monopolize the whole carrying trade of the United States. This led Congress in 1789 to impose tonnage duty on foreign vessels eight times greater than on American ships, and, in addition, to lay ten per cent extra duties on merchandise imported in them, in order to protect the industry of our citizens as applied to navigation, and under the auspices of these fostering provisions of navigation, naval forces have grown up until they have arrived at a point where they can

proudly and gallantly enter the lists with all nations, either in peace or war."

As to the expediency of that tariff, he concluded as follows:

"The advocates of the tariff as well as the nullifiers in my opinion, ought to reflect upon the wound which at this moment is being inflicted upon the relations of the Union. The southern planters feel that the duties on hemp, iron and woolens are high, and that they operate, as an oppressive tax upon these articles of first necessity to the agricultural interests of the South. Now let the advocates of the tariff consent to its modification. There is no legislation which so rouses the feelings of every American freeman, as an onerous tax. They will make any sacrifice if their country is invaded—they suffer privation in its defense without a murmur. But if a tax be imposed, which they conscientiously believe oppressive, all the indignant feelings of freemen swell in their bosoms. Those feelings are honorable; sometimes they may be misdirected; but they are sentiments interwoven with our very existence, and have taught us to resist aggression from whatever quarter it may come.

"Let the advocates of the tariff respect these feelings, and do not attempt ungenerously, because in a majority, to force oppressive duties on the whole south, to build up their own manufacturing interests; let them consent to a moderate reduction of the tariff of 1828, on articles of ne-

cessity, and every discordant feeling will be allayed. On the other hand, I do hope that the doctrine of nullification will no longer be heard in the land. It is a doctrine which I view as menacing with the most deadly calamity that Union, under which we have so long prospered, and which is so interwoven with all the proud associations of American history. Let us exercise our constitutional rights, in petitions to Congress, armed with the force of public opinion, to obtain a modification of the obnoxious duties, but let us abstain from all menaces which are directed at the principles of the National Constitution."

Upon the subject of Internal Improvements, he avowed his belief that Congress had the power to make military roads, remarking that "it must occur to every candid politician of every party, that the national government, entrusted with the power of peace and war, authorized to raise armies and build forts, has the necessary power of constructing military roads so as to supply them with arms, food and clothing." He was also inclined to the opinion that Congress "had the power to make post roads, as the constitution expressly granted the power to *establish* post offices and post roads," that upon consulting dictionaries, he found the word *establish* to mean *to build upon, to found, to create, to make*, that *to make* was the construction placed upon the word by Mr. Lowndes of South Carolina and by Mr. Livingston of Louisiana.

Upon the head of improving navigable rivers,

he argued that, under the constitution, Congress had the power to regulate commerce with foreign nations and with the different states, and in the exercise of this power had established custom houses on navigable waters, had required all vessels navigating them of ten tons burden or upwards, to pay duties for an annual license, and had assumed this jurisdiction over the navigable river courses of the United States ever since the adoption of the constitution. That the question raised as to the power of Congress to levy a tax upon the citizens of a state for the privilege of navigating a river within the state would be more difficult to decide, yet he must be a strong advocate for state rights, who would contend that Congress has power over a river, to lay a tax and yet could not appropriate a part of that tax to improve that very river." It appeared to him he said: "that if we on the Mississippi are compelled to pay this tax, that it is equally constitutional for Congress to expend it in improving the river, the navigation on which it is levied."

These, he adds, "are the only cases, where I believe Congress has the power, which are generally termed Internal Improvements, within the limits of a state; and I consider every one as deducible from the powers granted in the constitution. The people of the states have given these powers, and the people only have a right to take them away. They have been consecrated by the usages of every administration, and I conscien-

tiously think have been granted by the people of the states to the national government.

“The various other projects of cutting canals, making national roads, I believe to be constitutional, only so far as they are actually necessary as military roads, or as post roads; or are projects for improving navigable water courses, where government collects a duty on vessels of ten tons and upwards.”

As to an United States Bank, he said, “Many men of high character and whose opinions are entitled to weight, differ from myself on the subject, and I know that my sentiments are in direct opposition to a decision of that high tribunal, the Supreme Court of the United States.

“In 1811, the question of renewal of the old bank of the United States, if I recollect correctly, was discussed in the legislature of a sister state, of which I was then a member. It was introduced in consequence of a resolution offered to instruct the senators and representatives of the state in Congress to vote against the renewal of the old bank, on the ground it was unconstitutional. This resolution I voted for. I thought that the charter of the bank was unconstitutional, not from any hostility to the institution, but I was of opinion that Congress had no power to establish a national bank given to them by the people. No such power is enumerated; and it strikes me that it would be a forced construction, to say that it was necessary to carry into effect the enumerated

powers. I have had no reason to change this opinion. On the contrary, the fact that Mr. Jefferson mentions that in the original draft of the constitution, there was such a power given which was stricken out (in order to render the constitution palatable to Pennsylvania, where there were strong prejudices against banking) convinces me that there does not exist any power in Congress to incorporate a national bank out of the District of Columbia."

When a candidate in 1834, he was again approached with a multitude of questions, embracing not only the topics already answered in 1831, but involving the nicest and most metaphysical doctrines growing out of the constitutional relations of the states to the general government.

In his reply, he dwelt with apparent pleasure upon the confirmation which his views, advanced in 1831, had subsequently received from the action of the president, by his memorable nullification proclamation, by his veto of the Maysville Road Bill, by the popular condemnation of the re-charter of the United States Bank, and by the re-adjustment of the tariff effected under the leadership of Henry Clay, by the Compromise Act of 1832-33.

In commenting upon the tariff, he said: "I do not think it policy to force a factory system by any other protection than that which is incident to raising a revenue. To place thousands of our young men and women as laborers in the walls of a factory; to subject them to the caprice of one or

two capitalists and dependent on their nod for daily wages, would rear up, in the manufacturing districts, a dependent race of beings, and nourish a state of society which, like that of England, will form the germ of aristocracy and pauperism.

Far better would it be for our free institutions to give away our public lands to rising generations for the mere cost of surveying (perhaps ten cents an acre) in half sections to families, and quarter sections to unmarried men, on condition of settlement, than to rear them up dependent beings within the walls of a factory. If we thus dispose of the public lands, they being no longer available funds to the treasury; the present gradual reduction would probably not more than meet the frugal expenditures of the country for many years to come.

How much more salutary would such a course be, than a forced system of protection to factories. If the public lands were to be granted to actual settlers in convenient tracts, the whole valley of the Mississippi would, before long, teem with a prosperous and industrious population, owning the lands on which they were settled. A squatter on the public lands would be unknown, for he would be converted into the proprietor of the soil. His industry would be directed to schools, roads and those social relations which mark the independent freeman. And if the time ever arrives when liberty, with all her blessings, should be chased from our cities by venality and corrup-

tion, she would fall back upon her natural protectors, the brave and hardy yeomanry of the land, where her altars would be secure."

In replying to other questions, his opinions are developed by the following extracts with reference to nullification.

"My conclusions, therefore, are that there is no constitutional remedy against a law passed by Congress, excepting those pointed out and enumerated above; to wit: instructions, remonstrance, the checks provided in passing the law that should be sanctioned by the House of Representatives—pass the Senate—be approved by the president—expounded by the Supreme Court—and at last be confirmed by a majority of the people of the states; by the ballot box at another election; and finally the right of amendment and impeachment.

"But say the advocates of nullification, the majority of the people will become corrupt and oppress the minority. To this I answer, the majority in a single state may become corrupt and oppress the minority in their legislation. They may be corrupt in the very act of nullification.

"This argument deduced by the advocates of nullification proves too much, if it proves anything. It is at war with the very principles of free government. Despots have said that the people would be corrupt and incapable of governing themselves, and that a free government would degenerate into a tyranny.

"The advocates of free government, on the

other hand, have alleged that the majority of the people were honest, and properly educated in our system of government, they would not wish to oppress their fellow men.

“The history of our country has so far evinced that they are capable and willing to correct all abuses. They have invariably so acted during our brief but glorious career. It does appear to me that it is a poor compliment to the cause for which our fathers shed their blood, that a small minority should denounce the vast majority of the people of the United States as having already become corrupt and degenerate. * * * * *

“It will be perceived in all the views that I have taken of the subject, I have confined myself to the powers and remedies presented by the constitution.

“There is an extra constitutional power inherent in freemen, and that is never transferred to any government, whether national or state. This is the right to resist oppression whenever the majority become corrupt and tyrannical over their fellow men. This was the right which our fathers had, to declare this country independent of Great Britain. When all modes of redress are unavailing, if the majority of the states play the tyrant and violate the constitution; the minority in favor of their unalienable rights—the rights of freemen—can resist tyranny from whatever quarter it may come. As our fathers of the Revolution did, they can spread their banner of liberty to the

breeze, and resolve to conquer or die. This is the right, which nature and nation's God have imparted to man. But may centuries roll by and numberless ages pass by, before our Union shall in this way perish amidst the corruption and oppression of a degenerate posterity." * * *

"But after the Supreme Court have made their decision, it appears to me there is another power which is superior to it, which is the people of the different states, acting through their legislatures and by declaratory amendments to the constitution, deciding what its construction should be. *

* * * * * Laws cannot retroact because they are prohibited by the constitution from so doing, but it is in the power of the people through the action of their state legislatures in their elementary sovereignty. I conceive to pass rules of interpretation of the constitution which can act upon cases already decided by the Supreme Court, provided the majority of the states, required by the constitution, concur in the amendment. This power then, with the power reserved of impeachment, would be the power of the people to act as the ultimate arbiter to settle any doubtful constitutional question."

General Ripley was governed by a broad and comprehensive policy with regard to the disposition of the public lands as indicated by his position upon the subject when a candidate for Congress in 1834. President Jackson had already, in his fourth annual message in December, 1832,

called the attention of Congress to the subject and expressed the opinion that it was best to abandon the idea of realizing a revenue out of the public lands and that they should be sold to actual settlers at a price barely sufficient to reimburse the United States, the expense of the land system and the cost arising under Indian compacts.

To this proposition, as enlarged upon and advocated by himself, he yielded the strongest support. In it we discover the germ of our present liberal Homestead law with its magnificent results, attained not by a prompt and immediate congressional recognition, but by a gradual advance; by the adoption of a pre-emption bill, of a bill graduating the price of public lands, and at last by the enactment of the present Homestead laws. The latter were widely discussed before the people and occupied the attention of Congress at several sessions, but did not materialize into a law until May 20, 1862, after the accession of Lincoln to the presidency. A protracted and earnest contest over the subject had engaged the 36th Congress, which convened in December, 1859. On the 8th of that month Andrew Johnson of Tennessee gave notice of his intention to introduce a bill upon the subject, which he accordingly did on the twentieth of the month. A bill for a like purpose was also introduced into the House, was passed and sent to the Senate. The two bodies being at last brought into agreement as to the provisions of the law, it was finally passed, the vote in the Senate being forty-four to eight, indicating the non-partizan and

non-sectional character of the measure. At that time the Senate stood 37 democrats, 24 republicans, 2 members of the native American party and three vacancies. The House had 109 republicans, 101 democrats, 1 whig and 26 of the native American party, the latter being largely from the Southern States. President Buchanan, however, refused to approve the bill on the ground of unconstitutionality and of injustice to some of the states, and the Senate refused to pass it over his veto by a vote of 27 to 18, not being the two-thirds vote required by the constitution to over-ride a veto.

The constitutionality and the expediency of a United States Bank, clothed with the attributes given to it at its first and second institution, proved the subject of warm and animated discussion from the foundation of the government until its final overthrow in the contest, waged against it by the firm and inflexible Jackson. Of this contest Mr. Blaine wrote sixty years afterward in his great work published in 1884. "The Bank of the United States in 1816 had a capital of thirty-five million of dollars. If a similar institution were established to-day, bearing a like proportion to the wealth of the country, it would require a capital of at least six hundred millions of dollars—many folds larger than the combined wealth of the Bank of England and the Bank of France. It is hardly conceivable that such a power as this, could ever be entrusted to the management of a secretary of the treasury or to a single board of directors with the temptations

which would beset them. It is the contemplation of such an enormous power, placed in the hands of any body of men, that gives a more correct appreciation of the conduct and motives of *General Jackson* in his determined contest with the United States Bank. His instincts were correct. He saw that such an institution, increasing with the growth of the country, would surely tend to corruption, and by its unlimited power would interfere with the just liberty of the people."

In this determined contest, General Ripley was on the side of Jackson and without weighing either its advantages or the disadvantages of the institution, his personal convictions, imbibed in early life and remaining unchanged during subsequent years, left him no other alternative to pursue. The contest was not only determined but became embittered by the most bitter and envenomed political attacks upon Jackson—the results to follow the defeat of the bank were portrayed in the most gloomy colors—the commercial world was convulsed by a dread picture of ruin in the event of Jackson's failure to permit a re-charter—the whig leaders were animated by a common spirit to listen to no compromise, unconditional surrender to their demands, would only suffice, and, amid panic and commercial disasters, fondly anticipated the discomfiture of Jackson and their own return to the administration of the government. Had it not been for this overweening confidence and belief of certain victory, probably a satisfactory arrangement between the bank officials and the

president would have been effected, and much subsequent commercial distress avoided. But Clay and Webster would listen to nothing of the kind—they had determined upon their course, and bank officials received significant intimations of their displeasure, if they infringed upon their plans. Having become the leaders in the championship of the re-charter, with a powerful and compact party obsequious to their will, and directing their attacks with their accustomed ability, they were finally overwhelmed with defeat, and to what extent they were responsible for the bankruptcies, commercial stagnation and wide-spread ruin of that period, then so bitterly charged upon *Jackson*, can now be more accurately determined, at the expiration of half a century, by the light of recent political developments. *Thurlow Weed*, so long potent in New York politics, the personal and political friend of the two whig chieftains, in his auto-biography, which appeared in 1883, thus draws the curtain and lets in the light upon, as he styles it, "A secret of the bank parlor."

"Shortly before the bank applied to Congress for a re-charter, the Hon. Louis McLane, then secretary of the treasury, invited Mr. Biddle, the president of the United States Bank, to Washington. At their interview, the secretary informed Mr. Biddle that he was authorized by the president to say, that if the proposed re-charter of the bank contained certain modifications, which, Mr. McLane handed to Mr. Biddle, in writing, the bill

would be approved. Mr. Biddle returned to Philadelphia and submitted the proposed modifications to Mr. John Sargent, a director of the bank and its counsel, and to one or two other confidential directors, by each of whom the modifications were accepted. But before announcing such acquiescence to the secretary of the treasury, it was deemed proper to confer with leading friends of the bank then in Congress. Mr. Biddle and Mr. Sargent therefore called upon Messrs Clay and Webster, and submitted to these gentlemen the modifications required to secure the approval of the president, of the re-charter of the bank.

“After much discussion and consideration, Messrs Clay and Webster came to the conclusion that the question of a re-charter of the bank had progressed too far and assumed aspects too decided in the public mind and in Congress to render any compromise or change of front expedient or desirable. Messrs Biddle and Sargent retired for consideration, but returned in the evening of the same day, confirmed in their conviction that it was wise to accept the offer of the secretary of the treasury. Messrs Clay and Webster replied that they had borne the brunt of the battle so far, and that they were confident of their ability to carry a bill through Congress, re-chartering the bank, even though the bill should encounter a presidential veto; but that they could not be responsible for the result, if in the heat of the contest, the bank, abandoning its reliable friends, should strike hands with its foes.”

The great whig leaders played and lost in the fierce bank struggle, but time softens or dispels the asperities of party contest. The obloquy and vituperation, poured upon the firm and patriotic Jackson, at the time, by his ambitious and bitter rivals and opponents, have disappeared before the popular verdict of that day, and now Jackson figures in the history of that eventful and excited period and bitter controversy, as governed by patriotic motives, far seeing sagacity and "correct instincts."

During the first session of the 24th Congress, which convened in December, 1835, and to which he had been elected, General Ripley applied himself to efforts to accomplish his early wishes for the erection of hospitals upon the western waters, a subject to which his attention had been drawn and in which he took a deep interest, while a member of the state senate in 1831. For this purpose he moved an amendment to the general appropriation bill, by which \$200,000 should be applied under the direction of the secretary of the treasury, in the selection of sites and preparing the necessary material. This amendment was rejected, and in a few days he introduced a resolution instructing the committee on roads and canals to report upon the expediency of establishing hospitals on the western rivers and lakes for disabled and sick seamen and boatmen. He was unable to procure immediate legislation such as he desired, upon the subject, but an impulse was given to its consideration, which in a few years

gave gratifying fruit, by the establishment of the desired hospitals.

The disposition to be made of the public revenue and of the large surplus anticipated for the future, pressed upon and occupied the attention of Congress at this session. In his annual message, the president announced that the public debt was extinct, or money was on deposit for this purpose, whenever the creditors should demand it, and that after making all the appropriations for which estimates would be submitted by the different departments and deducting unexpended appropriations already made, a surplus would probably remain, at the end of the year, of not less than six million of dollars. Legislation and the consequences growing out of it, unexpected by the president, actually swelled this surplus to some forty millions of dollars. Congress at this session passed a law requiring all the surplus in excess of five millions of dollars distributed among the states in quarterly installments, to be repaid when Congress should require it. In terms it was a loan, in reality its ardent supporters had so framed the law for the purpose of overcoming any constitutional scruples which the president would entertain against a direct gift to the states, without the least expectation that repayment would ever be demanded. Under the operation of the law three installments, amounting to twenty-eight millions of dollars, were distributed among the states, when the fourth installment was arrested by the intervention of Congress, owing to the finan-

cial needs of the government and the threatening aspects of monetary matters.

No sooner had the law passed and the public revenue in large amounts found its way into the vaults of the state banks, as its selected custodians either by the states or the general government, than this revenue became the basis for a vast expansion of paper currency, stimulated the creation of new banks, overspread the country with a spirit of wild and intemperate speculation and culminated in what is known as the disastrous commercial *panic* of 1837..

The public lands were the incentive and potent factor in producing the wide-spread ruin that followed. General Ripley apprehending danger from this quarter, attempted to guard against it, and to secure the public domain from the grasp of the speculator, and for this object, when the bill was before the House, on the 21st of June, he proposed several additional sections to it, "providing that no public lands should be sold except to actual settlers, for the term of five years."

His efforts, however, were futile, but the vast importance of the amendment, which he proposed, greater probably than he then realized, was fully verified in the course of a few months. The sense of impending danger and public calamity impelled the president, soon after the adjournment of Congress, to direct the secretary of the treasury to issue an order requiring that future payment for the public lands, should be made in specie, ex-

cepting sales made to actual settlers prior to the 15th of December, 1836.

This order, known as "the specie circular," immediately became the object of the fiercest attacks from the enemies of the president, but the reasons assigned for it seem most fully to justify his course.

In connection with it, he says, in his message, in December, 1836, describing the operations of the banks, land offices and speculators:

"The banks lent out their notes to speculators; they were paid to the receivers, and immediately returned to the banks to be lent out again and again, being mere instruments to transfer to speculators the most valuable public land, and pay the government by a credit on the book of the banks. Those credits on the books of some of the western banks, usually called deposits, were already greatly beyond their immediate means of payment, and were rapidly increasing. Indeed, each speculation furnished means for another; for no sooner had one individual or company paid in the notes, than they were immediately lent to another for a like purpose; and the banks were extending their business and their issues so largely, as to alarm considerate men, and render it doubtful whether these bank credits, if permitted to accumulate, would ultimately be of the least value to the government. The spirit of expansion and speculation was not confined to deposit banks, but pervaded the whole multitude of banks through-

out the Union, and was giving rise to new institutions to aggravate the evil.”

In proposing his amendments to the bill, Gen. Ripley was probably governed by two motives, one, his favorite policy long before expressed of reserving the public lands for actual settlers, and the other the fear of injuriously affecting, the monetary and industrial interests of the country, by engendering a wild spirit of speculation. Without his amendment, the bill seemed the best at that time, attainable for the safety of the public revenue and the benefit of the people, and he voted for it. Upon its final passage in the House, it received one hundred and fifty five votes, with thirty-eight against it. In the Senate it had received thirty-nine votes to six against, and was approved by the President.

Soon after taking his seat in congress he was terribly shocked by the death of his only son who serving under Colonel Fanning, in Texas, was one of the 560 men, who were inhumanly shot by order of Santa Anna, the Mexican general, in utter disregard of the terms of capitulation. Exasperated by such perfidity and inhumanity, the feelings of the father became thoroughly enlisted in the cause for which his son died, and he watched with intense interest the Texan struggle for independence. The contest of arms was not of long duration and was followed by that of diplomacy, which lasted beyond the life of General Ripley.

At this session the slavery question became prominent, and those foremost in the advocacy and maintenance of the right of petition and in encouraging the then so called abolition party in converting the national forum into a political conduit for the propagation of their sentiments, was ex-president John Q. Adams, who, perhaps smarting under his defeat as presidential candidate in 1828, entered Congress in 1831, as representative of the district in Massachusetts in which he resided. Of the character of the class of petitioners with which he was so ready and active in agitating the body to which he belonged and in contributing to public excitement, he records in his private diary that on the 7th of January, 1839, he presented ninety-five petitions bearing upon slavery topics and that some of them were "very exasperating in their language."

In his past official life he had, as a member of Mr. Monroe's cabinet, opposed the treaty negotiated by Mr. Rush, in 1824 for the more effectual suppression of the African slave trade, for the ratification of which Mr. Monroe was anxious; as Secretary of State he had given his best aid to the acquisition of Florida, a slave territory, subsequently to be made a slave state, and it was universally understood that he was opposed to the interference of Congress, in a time of peace, with slavery within the states and to its abolition in the District of Columbia.

Recollecting his action upon these questions,

so much in accord with southern sentiments, Mr. Adams, was, perhaps, in no placable mood to withhold hard and exasperating blows from those who had so recently aided in his presidential defeat, and he at once became the active, determined and untiring ally of the abolition party in maintaining upon the floor of Congress, their doctrine of the right of petition and in arousing the anti-slavery feeling of the North in reference to the future of Texas. Neither was his course at this time at variance with his convictions of early life, as indicated by his diary where, alluding to the Missouri compromise of 1820, he says that the Cabinet of Mr. Monroe, of which he and Mr. Calhoun were members, was unanimous in the opinion that it was constitutional, and adds:

“I have favored this Missouri compromise, believing it to be all that could be effected under the present Constitution, and from extreme unwillingness to put the Union at hazard. But perhaps it would have been a wiser as well as bolder course to have persisted in the restriction upon Missouri till it should have terminated in a convention of the states to amend and revise the Constitution. This would have produced a new Union of thirteen or fourteen States, unpolluted with slavery, with a great and glorious object to effect, namely, that of rallying to their standard the other states by the universal emancipation of their slaves. If the Union is to be dissolved, slavery is precisely the question upon which it

ought to break. For the present, however, the contest is laid asleep”

His feelings thus indicated, characterized his course to the last and when the annexation of Texas was near consummation, found expression in an address of thirteen anti-slavery members of Congress, headed by himself, who denounced the measure in the severest and most inflammatory language and as one “so injurious to the interests and abhorrent to the feelings of the people of the free states as in our opinion, not only inevitably to result in a dissolution of the Union but fully to justify it, and we not only assert that the people of the free states ought not to submit to it, but we say with confidence, they would not submit to it.”

In such a champion, so learned, cool, energetic and persevering the most ultra anti-slavery man had a tower of strength, which never failed him in time of need.

The petitions themselves evinced the earnestness, the sincerity and the fixed resolution of the petitioners. Some were couched in mild and unobjectionable language as if avoiding to give offence but seeking to do away with what they considered a great national evil, others bristled with harsh epithets, and reflected the bitter and envenomed feelings of those, who, outside of the halls of Congress, from the public rostrum, assailed the Constitution as a “covenant with hell”. It was contended that, whatever the tone and charac-

ter of the petitions, the constitution declared that Congress should make no law abridging "the right of the people peaceably to assemble and petition the government for a redress of grievances" and that it was the imperative duty of the government to receive the petition, refer them to a committee for investigation and report for the final action of Congress. On the other side, it was urged that while the petitioners could not be deprived of his legal right to complain of what he conceived a grievance, yet when the character of the complaint was well understood, was calculated to produce great exasperations dangerous to the best interests of the country and was obnoxious to the sentiments of a large and overwhelming majority of the American people, that their representatives had a perfect and constitutional right to make such disposition of the petition as their self respect and sense of duty to their constituents required. The doctrine maintained by the petitioners, it was urged, opened the door for the introduction and conversion of Congress into a theater for the discussion of every conceivable subject, such as slavery, the imitation of revolutionary France in the abolition of the Sabbath, the ostracism of the Bible, the establishment of a monarchy or the dissolution of the Union, etc., to the neglect of the real objects for which the government was instituted.

As showing the temper of the House, and the antagonistic views of the members, it may not be

out of place to give the following extracts from the remarks of William Slade, one of the ablest members of the Vermont delegation, and of Franklin Pierce, of New Hampshire, subsequently President of the United States, on the other:

Mr. Slade said; "for himself he was in favor of the prayer of the petition. The petitioners first wished the abolition of slavery within the District; so did he. They desired to abolish the slave trade in the District, and so did he. He was not, however, in favor of the immediate and unqualified abolition of slavery within the District, because he believed it impracticable; and to seek it, would defeat the very object he and those who concurred with him desired. He believed there was no right of one man to hold another as property, and that the exercise of such power ought everywhere to cease; but the work should be done gradually. The states of the Union owed obligations to the African race; and it was their duty to prepare them for a state of emancipation and freedom. They were bound to enact laws for this purpose. He was an Anti-mason and an Abolitionist on this principle, and always should be. He was, however, in favor of an immediate abolition of the slave trade within the District of Columbia. He said the sentiments of the people of the North had not been fairly described by gentlemen who had addressed the House. Gentlemen were altogether mistaken on this subject. It was not a few miserable fanatics, as had been asserted; and the gentleman from New

Hampshire (Mr. Pierce) was equally mistaken in thinking that not one out of five hundred of the people there, were in favor of this object. There was a full and deep feeling among the people at the North. Public meetings had been referred to. Those meetings, Mr. S. said, applied only to the abolition of slavery generally, and not in this District. As proof of this, he referred to the Boston resolutions. Mr. S. then referred to the clause in the Constitution of the United States, giving Congress the right of exclusive jurisdiction, and was understood to contend that that clause involved the entire jurisdiction, and as such, the right of Congress to legislate on the subject of slavery here. Had it not been for the denunciatory language used by the abolitionists, of land pirate and kidnapper, applied to the people of the South, he did not know but that he should have been an abolitionist himself on the whole question. He believed slavery an evil, and one that ought to be abolished, and that would eventually be abolished every where."

Mr. Pierce, who was absent at the time of Mr. Slade's attack, on a subsequent day in the course of replying to it, and the personal attacks of an abolition paper in New Hampshire, said,

"Whether, as has been said, there be incidentally a conjunction between two parties of this Union, to shake it to its centre, it was not for him to say, but he would express his belief that there was sufficient patriotism and moral firmness in

the sunny clime, and patriotism and moral firmness enough among the snow capt hills of the north, to put down agitators, if they existed in both sections of the country, and to transmit an unbroken Union to posterity, with all the rights and privileges secured by the constitution and now happily enjoyed under it."

"What were the remarks for which he had been arraigned, not only before the public, but before the Senate of the United States, as having been guilty of untruth in his place on that floor? What he said was, that there was no such disposition among the people of his section of country as that indicated by the gentleman (Mr. Slade,) and that not one in a hundred of Mr. P's constituents who did not entertain the most sacred regard for the rights of their southern brethren, and not one in five hundred who would not have those rights protected at any and every hazard. When he made that remark, he did not, of course, intend to include the children who knew not what they did, nor the ladies, who, in their proper sphere, had his highest respect and veneration. He meant to speak of the yeomanry of his country, the legal voters. With this qualification, he was prepared to re-assert all he said before. He would go further. Within the last six months, as every one there must know, the subject of abolition had been much agitated in public, and he had never seen yet the first abolitionist, man, woman or child, within his knowledge, in the district in which he resided."

Mr. Slade and Mr. Pierce, represented in congress, the radical and the conservative elements of the north, at this period, and while the one fanned the flames of sectional strife the other attempted to allay and extinguish them. General Ripley was desirous of contributing to the latter result, and having hazarded his life upon the battle field to maintain the rights of his country against an imperious and domineering foreign foe, so also he was now anxious to subdue the storm which threatened our domestic peace and our national Union.

When the question of disposing of one of the petitions, was under consideration he said "This was a grave and important question. There was no subject of deeper interest in the quarter of the country from whence he came. He had been sent here to oppose every effort of a certain class of citizens, in reference to slavery within this District, or elsewhere. In disposing of the question before the House, care should be taken rather to allay the public feeling than to add to the existing excitement. The right of petition was a solemn one, and had been guaranteed from the time of Magna Charta to the present moment. Our citizens have a right to petition for a change of their Constitution, and indeed for a change in the form of their Government. Every decorous memorial should be received; but when received, it is in the power of the House to dispose of it as it may deem proper. The motion to reject this petition was an incipient question, and, in his

opinion, should take precedence. He again adverted to the great excitement in the South on this subject, and the importance of allaying that excitement by a decisive course here. If the gentlemen from the North were sincere in their friendship for their brethren in the South, and were desirous of breaking down the double wall of partition between these two sections of the country, they could give an earnest on the present occasion, by voting promptly to reject this petition; and when it shall go forth that we have rejected it by a vast majority, it will have an effect even upon the fanatics themselves, who do not understand the position and feeling of the South on this subject, while it will, at the same time, allay the existing excitement in that portion of the country."

At a late day in the session in 1836, Congress decided that all memorials relating to the subject of slavery should be received and laid upon the table without any further consideration. This rule was recommended by a special committee of which Pinckney, of South Carolina was chairman, and which had been appointed in pursuance of a resolution which he had many weeks previously presented and which was adopted by a large majority, that memorials for the abolition of slavery in the District should be referred to a select committee with instructions to report that Congress possesses no constitutional authority to interfere with slavery in the states and that in the opinion of the

House, Congress ought not to interfere in any way with slavery in the District of Columbia, because it would be a violation of the public faith, unwise, impolitic and dangerous to the Union. Mr. Adams and six others, a majority of them from the South, voted against that portion of the rule that referred to the states, while seventy-six votes were given against that portion which related to the impolicy of interfering with the subject in the District of Columbia.

The rule that thus provided for the summary disposition of abolition petitions greatly incensed Mr. Adams and became the object of his annual and pertinacious attacks. Aided by the growing anti-slavery feeling of the North, intensified by the continual and often tumultuous agitation of the slavery question in Congress and by the proposed annexation of Texas, he finally succeeded in 1844, in having it stricken from the Rules of the House.

Another phase of slavery agitation was presented by the condition of Texas, and when a Bill appropriating money for the defense of the western frontier and to prevent any incursions into the United States in the war then existing between Mexico and Texas, Mr. Adams was prompt to seize the opportunity to object in advance to the annexation of Texas and to arouse the anti-slavery feeling of the country and said, among other things, if he had been rightly informed, this was a war of Texas to establish slavery in the repub-

lic of Texas, which had been banished by the United Mexican States, that it was a resistance against the abolition of slavery by Mexico, and that Texas was making war to establish that slavery which had been abolished. Now if this was the case and if the acknowledgment of the independence of Texas was to follow by an application to admit her to become one of the states of this Union, he begged leave to declare off from that reception. He would be for receiving no such addition to the United States." Stung by the replies which his remarks had elicited and by the direct charge that he was solely responsible for the treaty negotiated during the administration of Monroe, by which the boundary was so fixed as gave Texas to Mexico, he emphatically declared "that *he was the last man* of Mr. Monroe's administration who consented to the treaty, and that he was the *only member* of that administration who was for holding on to it."

General Ripley followed him, discussing the difficulties growing out of the undefined boundary line settled by the treaty between the United States and Mexico, and "expressing his surprise at what had fallen from the gentleman from Massachusetts when he remembered who was the author of the eloquent and learned defence of General Jackson's taking possession of Pensacola, the principle of which was identical with the exigency on our Louisiana border."

Despite the opposition of Mr. Adams and his

co-adjutors and after the crushing defeat of the Mexicans, Texas hastened to seek recognition from foreign governments. The British Minister, Palmerston, assured the Texas commissioner, General Henderson, that if Texas would withdraw the proposition of annexation to the United States, England would recognize her independence. This proposition was immediately withdrawn, but notwithstanding this, the United States recognized the independence of Texas on the 3d of March, 1837, being the last day of Jackson's administration. France followed the example on the 25th of September, 1839; Belgium and Holland soon after, and England did the same in a treaty made November 13, 1840. Whatever opinion may be entertained of the merits of the controversy between Mexico and Texas, one distinguished American statesman and author, Mr. Blaine, forty years after annexation was consummated wrote: "But Texas had passed definitely and finally beyond the control of Mexico, and the practical issue was, whether we should incorporate her in the Union, or leave her to drift in uncertain currents, possibly to form European alliances, which we should afterwards be compelled, in self defence, to destroy. An astute statesman of that period summed up the whole case when he declared that it was wiser policy to annex Texas and accept the issue of immediate war with Mexico, than to leave Texas in nominal independence, involving us probably in ultimate war with England.

“The entire history of subsequent events has vindicated the wisdom, the courage and the statesmanship with which the democratic party dealt with this question in 1844.”

In view of events subsequent to annexation, the student of history, indulging in speculation, has a wide field for conjecture. Had the exclusion policy prevailed what would be the present condition of Texas? Would it not constitute a vast slave territory, enriched and strengthened by an immense influx of population after the collapse of the confederate government, and bound to Great Britain in the closest social, political and commercial alliance, instead of being the great and noble state it now is, with territorial area of imperial dimensions dedicated to freedom?

The frankness with which General Ripley avowed his sentiments during this session evinces his anxiety to preserve fraternal relations between the states and to protect what he conceived the constitutional rights of his constituents, but understanding as he did the temper of both sections, he was not insensible to the gravity of the controversy or unmindful of the teachings of history, and came to the conclusion that slavery would become extinct in a hundred years and so expressed himself to a friend in 1837.

But so rapidly did events bearing upon slavery, succeed each other, that its final extinction was effected in one fourth of the predicted time, and now, after the lapse of a quarter of a century,

having passed through the asperities of political strife and calamities of civil war, in the quietude of peace, surrounded by the evidence of national prosperity and hopeful of the future, the American citizen may bow before the altar consecrated throughout the land to freedom, and reverently exclaim "what hath God wrought!"

Upon the adjournment of Congress, General Ripley visited his New England friends, returning to Washington in time to resume his seat in December, 1836.

CHAPTER IV.

At the second session of the Twenty-fourth Congress, he was joined in Washington by his brother-in-law, Honorable Judah Dana, of Fryburg, Maine, and grand-son of Israel Putnam, of Revolutionary fame. General Ripley in early life had been a student in his office when fitting for the bar; had stood by his side in supporting the democratic party prior to the war of 1812, and both now appeared in Congress as the friends and supporters of General Jackson. Dana, having been appointed United States Senator from Maine in the place of Senator Shepley, resigned, soon after taking his seat, voted for Benton's famous expunging resolution of the vote of censure upon Jackson. In the course of the debate Dana expressed his pleasure in being able to contribute by his vote to this act of justice to the President.

This subject had greatly excited the public mind since its first introduction. Jackson's course with regard to the removal of the United States revenue from the United States Bank in which it had been deposited, had aroused to the highest pitch the fury of the friends of the bank and particularly of the leaders of the whig party. These thought the time opportune for the crushing of their great political antagonist and the party which sustained him. Clay at once with his usual

boldness and skill pushed through the Senate on the 28th of March, 1834, a resolution condemning in the strongest terms the action of the president as a violation of his constitutional obligations and as meriting rebuke and condemnation. The president immediately strongly protested upon various grounds against this course of the Senate and one of his friends, Senator Benton, promptly gave notice that he would introduce a resolution to expunge Clay's resolution of censure from the journal of the Senate and would persist in this effort until it was crowned with success or until his own political life should terminate.

The whole country became agitated over the question. State legislatures and the people at large made their feelings known upon the one side or the other at the National Capital and as Clay was defiant, vituperative, eloquent and adroit to defeat the obloquy aimed at his measure, so Benton was resolute, bold, and untiring in redeeming his pledge. At last he succeeded and carried his resolution through the Senate on the 16th day of March, 1837, by a majority of five, and in accordance with it, the Secretary of the Senate at once proceeded to draw broad dark lines around Mr. Clay's condemnatory resolution, and wrote across its face, "Expunged by order of the Senate, the 16th day of March, 1837."

General Jackson was naturally and intensely absorbed in the progress of the contest and gave a "grand dinner" to those Senators who had voted

for his exculpation and their wives, but being too much enfeebled by sickness he only met them at the table, placed Benton in the chair and withdrew to his sick room. "That expungation, (said Benton) was the crowning glory of Jackson's civil, as New Orleans had been of his military life."

While the President was the object of attack and defense in the Senate at this session, his official and public acts were subjected to the most bitter, if not malignant assaults in the House. Henry A. Wise, of Virginia, and Bailie Peyton, of Tennessee, were conspicuous in the attacks upon the president. The former seizing upon the President's message as a pretext for unloading his batteries of political warfare, and probably with a view of diminishing the popularity of the incoming administration to which Jackson was known to be favorable, on the 12th of December, 1836, in the committee of the whole, submitted a resolution "that a committee should be appointed upon that part of the President's message which related to the condition of the various Executive Departments, the ability and integrity with which they have been conducted, the vigilant and faithful discharge of the public business in all of them, and the causes of complaint from any quarter, of the manner in which they have fulfilled the objects of their creation."

Mr. Wise then proceeded to discuss the policy, conduct and merits of the president, drawing a parallel between him and several of

the Roman Emperors and indulging in severe strictures upon the last Message.

His motion was carried by a vote yeas 86, nays 78; the committee was ordered to consist of nine, and the committee rose and reported to the House. An acrimonious discussion arose upon its adoption, but it was ultimately adopted almost unanimously, yeas 165, nays 9. General Ripley was absent, but the resolution was voted for alike by the friends and opponents of the administration: General Ripley was hostile to the resolution, when first presented, contending that it was a covert attempt to blacken the character of Jackson, was unprecedented in the history of the country, and that before an investigation was ordered specific charges should be made to which the attention of the committees should be directed.

He said; "Had this been a proposition to inquire into the condition of the Department of State, of the Treasury, of the Navy and War Department, and the General Post Office with a view to investigate abuses, if they exist, no person would be more willing to join in the inquiry than myself. No individual would be more anxious to enforce the responsibilities of subordinate officers.

"There are none who will go further to ferret out malpractices, and if they really exist, to punish them with the high constitutional power of this House. Had the resolution for inquiry

had these objects solely and honestly in view, I should have been the last to oppose it. But Sir, the President is constitutionally responsible for the whole of the Executive Department; the various radii of its powers concentrate, as well its responsibilities as its honors, upon him; and when I take these circumstances into view, and also consider the spirit in which this debate has been conducted, the position of the President cannot be observed without exciting our share of sympathy, shall we at a moment when his connection with the American people is about to terminate forever, and all the aspirations of ambition are to be dissolved by age, infirmities and sickness; when the consciousness of his high and devoted services which we all know he must possess, and the enthusiastic affection of the American people were about to cheer the evening of his life and to gild his expiring lamp, is it right or proper for the representatives of the people whom he succored and saved, to cut off this departing solace, and to embitter his last days, by adopting a resolution, which, if adopted, will sanction an opinion of this House, that corruption and Andrew Jackson have been coupled together! Will they do this without specific charges, without some allegation sustained at least by the endorsement of one individual in the House, who will give his name to posterity as the author of the allegation! * * * *

“Party spirit has raged and misrepresented all your Presidents during their term of office, but

they have passed and are passing off the stage of action, all with the award of official and personal integrity. Some have not been re-elected by the people, but against them no charge of corruption is found embodied in the annals of the country. Nor does any American citizen, at even this lapse of time, impeach their integrity, no one charges them (Jefferson and Madison) with wilful or wanton corruption while administering the affairs of the commonwealth. The only allegation made against them, as they quit the scene of their labors, of their glories and their services, were that a distinguished member, formerly of Virginia, accused Mr. Jefferson of retiring with a political falsehood in his mouth; and an equally distinguished member from Massachusetts gave his solitary vote to impeach Mr. Madison, I have no doubt, sir, after the excitement of party was over, both of these gentlemen regretted their allegations. The charges never have, and never will affect the great patriarch of liberty, the author of the Declaration of Independence, or his equally illustrious friend, the founder and champion of our constitution. The one unfurled to the world, the principles of popular government, the other more than any man connected liberty with law and secured an equality of political rights by securing to society the fruits of labor. * * *

“The honorable member (Mr. Peyton, of Tennessee) has also referred to the Secretary of the

Treasury as being embraced in the general allegation of corruption. Sir, the lofty character of Levi Woodbury is too well known to this House and to this Nation, to require any comment from me. Born, reared and educated amidst the granite mountains of my native state, his stern and sterling virtues had already carried him to the highest honors of New Hampshire, when in the midst of the panic battle, he was called to the arduous duties of the Treasury of the United States. New England may justly feel proud of the high character which he has reflected back upon his native land. And let me ask, what inducement to corruption can there be on the part of Levi Woodbury? There has been no special charge against him, not a whisper of prejudice that he has done anything to forfeit his exalted character. He is affluent in his personal situation, with every thing to make him happy in domestic life, and above all, principles of the most stern and unbending integrity are interwoven with his nature. The only allegation insinuated against him is, that, in the exercise of his duty imposed by a law passed by this House, he is compelled to transact official business with an agent of the deposite banks. "That agent is no agent of this government, we have no constitutional power over him." † * * * *

"I feel sir, that I should have but unworthily

†At a late period, Mr. Woodbury became a distinguished member of the United States Court.

discharged my duty as a representative of Louisiana, had I not raised my voice in opposition to this resolution! Whatever may be the personal or political predilections of my constituents, gratitude to Andrew Jackson for the inestimable benefits, he has conferred upon the citizens of our State is an almost pervading sentiment. It is like the vestal flame, guarded with intense care, and faithfully transmitted from one generation to another.”*

At a subsequent day a select committee was appointed in accordance with Wise's Resolution, but no report was made upon the subject matter referred to it. Wise and Peyton were both members of the committee and in one of its meetings the latter became embroiled in a quarrel with Reuben B. Whitney, a witness, whom the committee considered contumacious; Peyton flew into an ungovernable and discreditable passion. Wise espoused his cause, the witness was arrested and brought to the bar of the House to answer for his conduct and from the investigation which followed and consumed much time until the very eve of the adjournment of the 24th congress, it would not have been unnatural for a stranger to infer that Wise and Peyton for their overbearing conduct and profanity towards the witness, were culprits whose conduct was the subject of the investigation.

General Ripley soon after the effort he made

*Congressional Globe App. p 30-31—1836-7.

in vindication of Jackson was precluded by ill health from further active participation in the proceedings of Congress. Re-elected in 1836 by an overwhelming majority, he was unable to take his seat in the 25th Congress.

Prior to the adjournment of the 24th Congress, in the spring of 1837, he experienced an attack resembling paralysis and at first his life was despaired of. Slowly regaining sufficient strength to travel, he commenced his journey homeward, where he arrived in the latter part of May with his health apparently somewhat improved and it was hoped by his many friends that it would be sufficiently restored to enable him to discharge the duties of representative, but these hopes were doomed to disappointment.

At times, his mind seemed endowed with unusual vigor while at other moments he appeared laboring under a high state of nervous excitement if not alienation of mind, doubtless aggravated by the effects of the wound received at the sortie of Fort Erie.

In an almost helpless condition, his strength and mental powers gradually sinking, he lingered until the second of March, A. D., 1839, when he expired at his plantation in the Parish of East Feliciana. He was removed for interment to the plantation of Judge Boyle in West Feliciana, the family burying ground of his surviving widow, where the last sad rites to the

departed, were paid to his remains by the Louisiana Jackson volunteer military company.

General Ripley was married twice, his first wife whom he married in 1811, was the daughter of Reverend Thomas Allen, of Pittsfield, Massachusetts, who was chaplain in the Revolutionary war, and was with General Stark at the battle of Bennington, and died at the Bay of Biloxi in 1820. A son and daughter were the fruits of this marriage and upon the death of their mother were sent to their Uncle, General James W. Ripley, of Fryburg, Maine, to be educated, where they remained until their father some years subsequently, married Mrs. Smith, of the Parish of West Feliciana, Louisiana, when they returned to the paternal roof. The son Henry, as already narrated, fell in the cause of Texas and the daughter married Thornton Lawson, Esq., who at the time of his death was judge of the judicial district in which he resided, and who, previous to going upon the bench, had been an active and influential member of the democratic party in the State. A Tennessean by birth, he came to the state with letters of introduction from Jackson to whom he was greatly attached. His wife survived him several years, and died in 1872 in the Parish of St. Charles. Her only child, a daughter, died many years previously in New Orleans. Mrs. Lawson was a lady of great intellectual vigor, of fascinating manners and was universally esteemed and

beloved. The death of those nearest and dearest to her clouded her last days with profound sorrow and at times obscured her reason to such an extent as to require great watchfulness upon the part of her friends.

General Ripley had no children by the second marriage and his surviving widow afterwards married and of whom her daughter writes; "she died October 29th, 1869, at the age of sixty-three, honored and loved by all that knew her."

APPENDIX.

I.

Politics in New England Prior to 1815.

Allusion has been made in the preceding Life of Ripley to his early affiliation with the republican party and to the virulence of party spirit prior to 1815, and without then enlarging upon those topics we have reserved a brief survey of them as more appropriate to this place.

The charter of a United States Bank, the difficulties with France, the Alien and Sedition laws, the pacific measures of Jefferson and the war with Great Britain greatly agitated the public mind during that period, and are not devoid of interest after the lapse of three quarters of a century, and enable us to form a juster estimate of the honesty, patriotism and wisdom of those who discussed and settled those existing questions.

The convention of 1787, after a long and laborious session, succeeded in framing and submitting to the people of the States for ratification, that Constitution, which, with some subsequent amendment, has proved for a century, the great charter of our political principles and the support of our national existence. During the discussions of its different provisions in the convention and before the people, a great difference of

opinion was manifested as to its merits and defects. It was only after the most strenuous exertions by its friends, including Washington, Hamilton, Madison, Jay and others of distinguished ability, was its ratification secured against the vigorous opposition of such revolutionary patriots as Samuel Adams, George Clinton, and Patrick Henry. The latter were filled with apprehensions that the proposed government, if established, would, by the assumption of implied powers, become a consolidated government that would override the reserved rights of the states and eventually prove dangerous to the liberties of the people.

With the ratification of the Constitution, all eyes turned to Washington as a fit man to be placed at the head of the new government and he was twice elected with gratifying unanimity to the exalted position of President. For eight years he performed his executive duties so wisely and well as to secure to himself the love and admiration of his countrymen.

At this period the old dynasties of Europe were either crumbling into ruins or threatened with destruction by the advancing light and invigorating influences of republican ideas, and so profound and wide spread was the sympathy in the United states with the cause of freedom among the oppressed and down trodden people of other lands that it threatened to overstep the boundaries of prudence and plunge our govern-

ment unwisely into European conflicts. Washington with keen perception saw the danger and averted it with cool judgment and firm hand. The same good judgment and patriotism were exhibited in the management of the complicated and nice questions which resulted from the revolutionary war, such as providing for the payment of the Continental and State debts, contracted in sustaining the war, and just remuneration to the suffering soldiers who had so bravely borne its burdens. To these were added questions bearing upon the future effectiveness of the government, such as the question of a national bank. Upon some of these questions, there was harmony of opinion but upon others the widest difference and the fiercest contest, and out of them grew those political organizations, which were known until 1815, as republican or democratic on the one side and federal upon the other. As among the people, so the same division existed in the cabinet of the president, those two great men, Thomas Jefferson, the philanthropist, and Alexander Hamilton, the great financier, representing opposite sides.

While the work of creating the new Constitution was going on in this country and while Hamilton was giving it the support of his great intellect, Jefferson was representing his country in France where his feelings were strongly enlisted in the republican cause. By his draft of the Declaration of American Independence in 1776, his name had become inseparably connected

with that instrument, while his subsequent efforts to adapt the institutions of his native Virginia to republican principles caused him to be recognized every where as an illustrious statesman. Retiring from Congress, he took his seat in the Virginia House of Burgesses, in 1776, and became immediately the master spirit in revolutionizing the domestic and long established institutions of the State.

The whole system of entails, which transmitted land and slaves from generation to generation without the power of alienation and secure from the claims of creditors was soon swept away by his vigorous action. The same fate soon overtook the law of primogeniture under which the eldest son inherited the land and slaves of his father. Such a far reaching revolution of property interests encountered strong opposition from the parties directly affected and the bitter hostility which it aroused against him is thus described by his biographer. "That distinguished class, whose existence as a social caste, had been forever destroyed, reviled the destroyer from this time forth with relentless animosity; and even to the second and fourth generations, the descendants of many of these patrician families vindictively cursed the Statesman who had placed them on a level with the rest of their countrymen."

He aimed at the establishment of as complete religious freedom as now exists in the

United States, but the bill he introduced for this purpose was stubbornly resisted by the established church and did not become a law to its full extent until 1786.

Two important subjects, which were dear to his heart, failed of accomplishment. One was the adoption of an extensive and far reaching school system and the other, a law providing for the abolition of slavery. Of the latter he wrote in 1821; "it was found that the public mind would not yet bear the proposition, nor will it bear it even to this day, yet the day is not distant when it must bear and adopt it, or worse will follow. Nothing is more certainly written in the book of fate than that these people are to be free." Being a member of Congress in 1783, he presented the deed of cession made by Virginia of her claim to the North Western territory, and was placed upon a committee to draw up a plan for its government. This plan which contemplated new States in the future has been ascribed to him and contained a provision, "that after the year 1800, of the christian era there shall be neither slavery nor involuntary servitude in any of the said states, otherwise than in punishment of crimes, etc."

This provision, however, was defeated, only six of the North Eastern and Middle States voting for it. It was destined to reappear without reference to a future period in the memorable ordinance of 1787 providing for the government

of the territory north west of the Ohio river, which, in positive terms, excluded slavery from the territory, and remains a perpetual monument of the views and aspirations of the founders of the Republic.

Having been Minister to France, in 1789, Jefferson returned to the United States, and upon the solicitation of Washington, and strongly urged by Madison was induced to accept the position of Secretary of the foreign Department and entered upon the discharge of its duties in March 1790.

At this period the financial condition of the country absorbed the public mind and was discussed upon different sides with great vehemence. Hamilton, as Secretary of the Treasury, had brought to the subject his great and marvelous financiering ability and, under his skillful leadership, the foreign debt and the domestic National debt were disposed of in accordance with his recommendations, but his scheme for the assumption of the war debts of the individual States met with fierce opposition, and on the 29th of March was voted down by a small majority. The excitement, already intense, increased, and the assumption of the State debts occupied all minds to the exclusion of other matters. Congress met and adjourned without doing anything.

The secretary of the Treasury was overwhelmed with profound anxiety and the crisis called into activity all the resources of his fertile

mind to avert the defeat of one of his cherished measures and to secure a few coveted votes.

The permanent location of the national Capital was still unsettled and created bitter controversy. Hamilton eagerly seized upon this as a means of extricating himself from the difficulties with which he was encompassed and adroitly made advances to Jefferson to secure his co-operation. The latter, recently returned from Europe, and perhaps not fully realizing the current of public affairs or the character of Hamilton or his designs as afterwards portrayed by himself gave his influence in the desired direction and the assumption of the State debts and the permanent location of the National Capital upon the banks of the Potomac were soon accomplished.

Jefferson, however, was not at ease for the part he performed in the transaction, and ere long made the humiliating acknowledgement that he had been duped by Hamilton. They soon became widely estranged and began to look upon each other with profound dislike. This was so strong with Jefferson, that he was unwilling to remain in the cabinet but Washington succeeded in retaining him till the close of 1793.

At the session of Congress which convened in December 1790, Hamilton submitted his plan of a National Bank and discussed with his customary ability the constitutionality, the utility and expediency of such an institution. A charter of a bank having finally passed Congress, the presi-

dent, before giving it his approval, required of his constitutional advisers their opinions in writing as to its constitutionality. Jefferson and Randolph, the attorney general, were decidedly of the opinion that Congress, by the passage of the bill, had obviously transcended their constitutional powers, while Hamilton, and Knox, Secretary of War, as decidedly maintained a contrary opinion. After mature consideration, the president approved the law, but in commenting upon this, Smucker, in his life of Hamilton, says:

“His habitual propensity to add *vigor to the Union*, inclined him to the conviction that the Bank was fully authorized by the Constitution, and he accordingly gave the sanction of his signature to the act of incorporation. It cannot be doubted, however, that his mind had been long predetermined in favor of the measure; and, that however he might hold his judgment open to a conviction of its illegality, should it be made so to appear to him, yet that his wishes and affections toward it as a favorite measure of his federal policy, had closed those avenues to conviction, which can only bias the understanding when the feelings are neutral and the desires uninfluenced toward a particular conclusion.”

At the preceding session of Congress, the proposition to assume the payment of the State debts had been inveighed against as unconstitutional and as conferring upon the general government dangerous and preponderating influence ac-

accompanied by a pernicious diminution of the consequence and influence of the State governments. All those who had been opposed to the ratification of the Constitution as tending to build up a grand consolidated government naturally gravitated to this side of the question. Their numbers were now increased by those who were opposed to enlarging the powers of the government beyond those actually conferred, by a broad construction and by implication. Jefferson and Madison who had been so conspicuous in securing the ratification of the constitution were among these.

The discussions upon the assumption of the State debts, followed by that of the Bank question brought into full light the conflicting and inharmonious views of public men and gave rise to those two adverse parties which were for many years known as the federal party upon the one side and republican and democratic upon the other. In the discussion of the bank question, Mr. Jefferson presented in unambiguous language his views of the powers of Congress, but his able and exhaustive argument, while clearly indicating the foundation and views of the republican party, failed to convince the judgment of Washington and presented the antagonistic views of Jefferson and Hamilton in the strongest light, placed each at the head of opposing parties and these, not confining themselves to the field of argument, soon passed into the boundless region of sus-

picion and abuse. Jefferson and Hamilton were portrayed by their opponents with venomous pens and the leaders themselves lost all respect for each other.

Jefferson said that he told Washington in 1792, "that though the people were sound, there were a numerous sect who had monarchy in contemplation; that the Secretary of the Treasury was one of these. That I had heard him say that this Constitution was a shilly-shally thing of mere milk and water, which could not last and was only good as a step to something better. That when we reflected that he had endeavored in the Convention to make an English constitution of it, and when in failing in that we saw all his measures tending to bring it to the same thing, it was natural for us to be jealous; and particularly when we saw that these measures had established corruption in the Legislature where there was a squadron devoted to the nod of the Treasurer, doing whatever he had directed or which he should direct."

While such was the light in which Hamilton appeared to Jefferson, Marshall, their great contemporary, and of the same political party with Hamlington, wrote of him: "While one party sincerely believes his object to be the preservation of the Constitution of the United States in its purity, the other, with perhaps equal sincerity imputed to him, the insidious intention of subverting it. While his friends were persuaded

that as a statesman he viewed foreign nations with an equal eye, his enemies could perceive in his conduct only hostility to France and friendship to her rival.

In the good opinion of the President, to whom he was best known, he had always held a high place; and he carried with him out of office, the same cordial esteem for his character and respect for his talents, which had induced his appointment.

As embarrassing and disagreeable as the antagonism of his two Secretaries proved to the President, he fully appreciated their good qualities, held the scales of justice with even hand between them, and knew what allowance to make for their mutual distrusts. These did not divert him from pursuing the even tenor of his way and doing that which he considered best for the interests of his country.

Notwithstanding the able and probably to many minds, unanswerable arguments of Jefferson, Washington finally approved of the bank bill, and its constitutionality subsequently coming before the Supreme Court for consideration was sustained by that august tribunal. This decision, however, did not secure the approval of many eminent men, remained for many years a subject of contention and bitter controversy and extensively divided public opinion. The establishment of the bank and the opposition it evoked in Congress strengthened the antagonism of the

Federal and Democratic parties and drew down upon Hamilton as the head of the former, for successive years, the most bitter assaults. He was held up to public execration as a monarchist and as aiming to establish his favorite strong government by insidiously and systematically subverting the safeguards of the constitution.

On the other hand, Jefferson did not escape the fiercest vituperation from his political opponents. His religious sentiments were bitterly assailed; he was pointed at as the base and servile tool of French revolutionary Jacobins, and nothing politically was too execrable to be imputed to him by his infuriated enemies.

The repellent picture drawn by each party, and its leaders of the other side has been softened by time; what was, in the heat of party excitement considered just grounds of condemnation has been dispelled by the light of subsequent revelations and now both Jefferson and Hamilton receive the plaudits of the American people as statesmen and patriots seeking each according to his own judgement, the welfare of his country.

The charge of being a monarchist, however pressed so heavily upon Hamilton, in consequence of his course in the Convention of 1787 and the unfavorable remarks, in which he was said to have indulged, with regard to its imperfections, that on the 16th of September 1803, in a letter addressed to Timothy Pickering, we are supplied by him with the following vindication:

“The highest toned propositions, which I made in the Convention, were for a President, Senate and Judges, during good behavior; a House of Representatives for three years. Though I would have enlarged the legislative power of the general government, yet I never contemplated the abolition of the State governments; but on the contrary, they were in some particulars, constituent parts of my plan. * * *

“And I may add that in the course of the discussions in the Convention, neither the propositions thrown out for debate, nor even those who voted in the earlier stages of deliberation, were considered as evidence of a definitive opinion in the proposer or voter. It appeared to be in sort understood that, with a view to free investigation experimental propositions might be made, which were to be received merely as suggestions for consideration.

“Accordingly, it is a fact that my final opinion was against an executive during good behavior, on account of the increased danger to the public tranquillity, incident to the election of a magistrate of his degree of permanency. In the plan of a Constitution which I drew up while the Convention was sitting, and which I communicated to Mr. Madison about the close of it, perhaps a day or two after, the office of President has no longer duration than three years.”

While the controversy between the two Secretaries and the two parties was character-

ized, by extreme bitterness, important measures upon which parties were organized and which were advocated by Hamilton, having been approved by Washington the federal party naturally looked upon the latter as identified with themselves and shrewdly, if not unfairly, attempted to utilize his popularity in the response which was made by Congress to one of the presidents annual messages. During the first two administrations, it was customary for the President to open the session of Congress with a speech and for the House to call in a body upon the president and deliver an address. In replying upon one of these occasions, the Federal party having the majority, the reply was so worded that in the opinion of republican members, they were placed in the awkward position of voting against the reply or of expressing condemnation of their own political conduct. Among these were Andrew Jackson and Edward Livingston who, rather than stultify themselves, voted in the negative. The Federalists at once availed themselves of this as indicating hostility to Washington and as a means of strengthening themselves with the people.

The true history of the affair was some forty years subsequently given by Livingston. Having just taken his seat in the United States Senate, from Louisiana, he was present at the memorable debate between Webster and Hayne, in 1830, in which the former made his masterly vindication of New England, from the aspersions of

the latter, but in the course of which he took occasion to say to the amazement of Livingston: "We know, or we might know, if we turn to the journals, who expressed respect, gratitude and regret, when he retired from the chief magistracy and who refused to express respect, gratitude or regret. I shall not open these journals." The arrow was doubtless aimed at President Jackson, but it hit Livingston as well and he was not disposed to submit in silence to undeserved censure.

Promptly replying, he expressed the opinion that the Senator would have done well to have opened those journals and ascertained the truth, avowed the veneration he had entertained for Washington from his childhood, and charged that the federal dominant party had so framed the customary annual reply to the President's message as would expose the minority, including Jackson and himself, if they voted for it, to the accusation of condemning themselves or of being hostile to the president. To avoid this, he proposed to amend the reply by declaring that "while we entertain a grateful conviction that your wisdom, friendship and patriotism have been signally conducive to the success of the present form of government, we cannot forbear to express our deep sentiments of regret with which we contemplate your intended retirement from office." "Now sir," said Livingston, "compare this clause, which we were all ready to vote for and did vote for with that which was supported by the majority and say which of them

expressed the greatest veneration for the person and personal character of Washington."

John Adams, who had served as vice president during the whole period of Washington's administration and whose political opinions, and views of policy harmonized with those of the federal party, succeeded Washington by a majority of three electoral votes over his competitor, Jefferson, the republican candidate. In this contest party lines were sharply drawn and each party made great exertions for success. As the Constitution then stood, Jefferson became vice president, but the virulence of party spirit did not subside. Adams continued for some time the same cabinet officers, which surrounded Washington at the time of his retirement. The country then was deeply affected by the political convulsions of Europe. Revolutionary France aimed to draw the United States, as an ally, into a crusade against the monarchical institutions of the old world. The prudence and wisdom of Washington had prevented this, but his successor found the French revolutionary leaders indifferent to American commercial rights treating American envoys with great disrespect and carrying things with such high hand as to bring the United States to the verge of a declaration of war, while, without it, naval conflicts had occurred upon the ocean greatly to the credit of the American naval marine. The spirit thus displayed was wholly unexpected by the French

rulers, moderated their haughty bearing and insufferable demands, and probably averted the impending war. The course pursued by the republican party in congress in opposing some of the war measures that were proposed, either through a belief that they were unnecessary or through sympathy with the democratic spirit which pervaded Europe, had a tendency to strengthen the Administration with the people, when in 1798, perhaps in part, as war measures, combined possibly with an ulterior purpose to prevent criticism of public men, the federal party unfortunately for its own ascendancy, pushed through Congress two laws, the Alien and Sedition, which immediately became objects of the bitterest denunciations, were assailed as utterly subversive of the Constitution, as conferring despotic powers upon the president, and as subjecting the private citizen to the wicked devices of spies and informers. In resisting the passage of these laws in the ardor of debate, on the 21st. of June 1798, Edward Livingston, then member of Congress from the city of New York, said: "But if regardless of our duties as citizens and our solemn obligations as representatives; regardless of the rights of our constituents; regardless of every sanction, human and divine, we are ready to violate the Constitution, we have sworn to defend, will the people submit to our unauthorized acts? Will the states sanction our usurped power? Sir, they ought not to submit; they would deserve the chains which

these measures are forging for them, if they did not resist. * * * * *

My opinions, Sir, on this subject are explicit and I wish they may be known. They are, that whenever the laws manifestly infringe the Constitution under which they are made, the people ought not to hesitate which they should obey; if we exceed our powers, we become tyrants and our acts have no effect." This speech was published and distributed over the country, exciting great and widespread indignation. The Alien law empowered the president to order dangerous or suspected aliens to depart, the country with severe penalties for disobedience of this order, with power given to the president to modify the order so far as to allow the suspected person to remain in a designated place at the President's pleasure. The sedition law made it criminal to combine with intent to oppose any measures of the government of the United States or to defame the Legislature or the President by declarations tending to criminate the motives of either. Among the earliest of the few victims of this law was Matthew Lyon, an editor and publisher of a paper in Vermont, and representative in congress from that State from 1797 to 1801. His conviction, imprisonment of four months, and fine of one thousand dollars, under the law created the wildest excitement throughout the State, and added to the unpopularity of the law and of the Federal party throughout the Union. His democratic friends hailed him as a martyr to

the cause of civil liberty in vast concourse and with indignant feelings accompanied him with a popular ovation on his way to prison, from which he was released February 7th 1799, and promptly raised the money with which to pay his fine. In this, however they had been anticipated by Lyon himself or some unknown friends. While member of Congress, he continued to display upon a National theater his undying hatred to the law under which he had suffered and of the party which made it. After the party heat and political questions of that period had disappeared, the heirs of Lyon applied to congress to have the fine refunded to them. In 1840 the subject was referred in the House of Representatives to the Judiciary Committee, composed of some of the ablest lawyers in Congress, if not in the United States, which reported a bill to refund the fine, which passed the House by a vote of 121 to 15 and the Senate without opposition. As showing the character and operation of the law, one of the publications, for which Lyon suffered, was in this language; "Copy of a letter from an American diplomatic character in France (Joel Barlow) to a member of Congress in Philadelphia."

"The misunderstanding between the two governments has become extremely alarming; confidence is completely destroyed, mistrusts, jealousies, and a disposition to a wrong attribution of motives are so apparent as to require the

utmost caution in every word and action that are to come from the Executive, I mean if your object is to avoid hostilities. Had this truth been understood before the recall of Monroe—before the coming or second coming of Pickney; had it guided the pens that wrote the bullying speech of your president and the stupid answer of your Senate at the opening of Congress in November last, I should probably have had no occasion to address you this letter. But when we found him borrowing the language of Edward Burke, and telling the whole world, that although he should succeed in treating with the French, there was no dependence to be placed in any of their engagements, that their religion and morality were at an end, and they had turned pirates and plunderers, and that it would be necessary to be perpetually armed against them, though they are at peace, we wonder that the answer of both Houses had not been to send him to the mad house. Instead of this, the Senate have echoed the speech with more servility than ever George the Third experienced from either House of Parliament.”

This arraignment of Adam’s was probably drawn out by this allusion to France in his first annual message: “The state of society has so long been disturbed, the sense of moral and religious obligations so much weakened, public faith and national honor have been so impaired, respect to treaties has been so diminished, and the law of nations has lost so much of its force, while

pride, ambition, avarice, and violence, have been so long unrestrained, there remains no reasonable ground on which to raise an expectation that a commerce without protection or defence will not be plundered."

The law which made Lyon's publication criminal and subjected him to heavy fine and imprisonment not to exceed two years was well calculated to stir society to its very depths, and having soon expired by limitation, too universally odious to encourage any attempt at renewal.

The committee, that reported the bill to refund the fine, expressed the opinion that the law was unconstitutional and void, and remarked: "No question connected with the liberty of the press ever excited a more universal, and intense interest, ever received so acute, able, long continued and elaborate investigation, was ever more generally understood, or so conclusively settled by the concurring opinions of all parties, after the heated political contests of the day had passed away." While the excitement caused by the Sedition law was so bitter at the time of, and following its enactment, the inflamed heads of its opponents inveighed against it with no cool and measured words and were susceptible of interpretations which the authors themselves, probably did not intend.

The speech of Livingston gave utterance to the public indignation as represented by the

leading democrats of the day, and was succeeded by the memorable Kentucky and Virginia resolutions of 1798-99. These, ever since their adoption, have been subjects of controversy and adverse interpretation and have been extensively invoked as countenancing nullification and secession and have been subjected to severe criticism. They afterwards received exposition from some of those who were foremost in giving them currency. The opinions of Livingston were developed in Jackson's celebrated proclamation against South Carolina nullification in 1832, of which, as Secretary of State he drew up the original draft.

Madison, in a letter to Edward Everett, in 1830, says: In the event of a failure of every constitutional resort and an accumulation of usurpations and abuses rendering non-resistance, a greater evil than resistance and revolution, there can remain but one resort,—the last of all—an appeal from the canceled obligations of the Constitutional compact to original right and the laws of self preservation. This is the *ultima ratio* of all governments, whether consolidated, confederated or a compound of both."

Mr. Webster, whose opinions were formed by an intellect trained to the work of discussing great political questions, weighing evidence and determining its relevancy and importance in his debate with Hayne said; "I wish now Sir, to make a remark upon the Virginia resolution of 1798. I cannot undertake to say how these resolutions were

understood by those who passed them. Their language is not a little indefinite. In the case of the exercise by Congress of dangerous power not granted to them, the resolutions assert the right on the part of the State, to interfere and arrest the progress of the evil. This is susceptible of more than one interpretation. It may mean that states may interfere by complaint and remonstrance or by proposing to the people an alteration of the Federal Constitution. This would all be quite unobjectionable; or it may be, that no more is meant than to assert the general right of revolution as against all governments, in cases of intolerable oppression. This no one doubts, and this, in my opinion, is all that he who framed the resolutions could have meant by it, for I shall not readily believe that he was ever of the opinion that a state under the constitution and in conformity with it, could, upon the ground of its own opinion of its unconstitutionality, however clear and palpable she might think the case, annul a law of Congress so far as it should operate upon herself, by her own legislative power."

The current of popular opinion finally set strongly against Adams. The Alien and Sedition laws had excited a storm of abuse; his negotiations with France had caused great dissatisfaction in his own party, and the sympathies ascribed to him of favoring English interests against republican France, however groundless, operated greatly to his prejudice and all contributed to his

defeat at the Presidential election of 1800, when Jefferson was elected by a majority of eight electoral votes. At this election New England gave her vote for Adams, but the republican party made such advance that in 1805, when Pickney was the Federal candidate, Jefferson received the vote of all New England except Connecticut.

The administration of Jefferson during his first term conduced largely to his popularity. The general tone of his annual messages had been moderate and conciliatory. In alluding in his first message in December, 1801, to the tranquillity of European States, he said:

“While we devoutly return thanks to the beneficent Being who has been pleased to breathe into them the spirit of conciliation and forgiveness, we are bound with peculiar gratitude to be thankful to Him that our own peace has been preserved, through a perilous season, and ourselves permitted to cultivate the earth and to practice and improve those arts which tend to increase our comforts.”

The quiet which pervaded the United States was soon interrupted by the extreme agitation, which was aroused in the western states in 1802, by the refusal of Spain to allow New Orleans to be longer used as a place of deposit for western commerce. This was still further increased when it was learned that Spain had ceded Louisiana to France. The country bordering upon the Mississippi river and its tributaries, was siezed with

a fever of excitement and Congress was inundated with petitions upon the subject. Jefferson immediately took steps to secure by treaty with France, the coveted territory for deposit, but the American envoys, owing to the critical relations and impending war between France and England, the want of money and political considerations found Napoleon, the first consul, anxious to sell the territory to the United States. This proposition, so unexpected and beyond their anticipations and promising such grand results to their country, filled them with surprise and gratification and they at once concluded a treaty transferring Louisiana to the United States subject to the approval of the American Senate, which was given on the 20th of October, 1803, by a vote of 24 to 7. The House by a vote of 90 to 25 decided to carry the treaty into effect and made the necessary appropriation for that purpose. The opposition to the treaty came from federalists. It was contended that the domain of the United States was already sufficiently extensive for one republican government, that the acquisition of more territory was unconstitutional and would prove a bad precedent in the future, and although the strongest opposition came from New England, yet four out of her six states voted for Jefferson's re-election.

Scarcely was the treaty concluded before France and England were engaged in war which they prosecuted regardless of American maritime and commercial rights. Jefferson, unwilling

to be involved in war, or to become embroiled in European entanglements, resorted to negotiations abroad, but with the concurrence of Congress adopted measures of protection at home which were perhaps of doubtful utility. In reply to a request of the House of Representatives for information as to the effect of gun boats in the protection and defense of harbors, he returned a special message February 10th, 1807, in which he discusses the objects aimed at and the number desired, refers to the opinions of land and naval officers who had been consulted and closes by saying "it must be superfluous to observe that this species of naval armament is proposed merely for naval operations, that it can have little effect toward protecting our commerce in the open seas, even on our coast; and still less can it become an incitement to engage in offensive maritime war toward which it would furnish no means."

His gun boat system however was seized upon by his political opponents with avidity as an object of ridicule and a fruitful source of extravagance.

His envoys to Great Britain to procure a treaty for the security of American rights effected one which failing to prevent the impressment of American seamen and falling short of the president's wishes he withheld it from the senate and instructed the envoys to renew their efforts for more satisfactory arrangements.

Not succeeding in this, the president was severely censured by his opponents for with-holding it from the Senate as it contained, they said, provisions favorable to commerce. The republican party however sustained his action as being fully within his constitutional powers.

American commerce and seamen were subjected to such outrage in every quarter of the globe as to induce congress to pass a law in Dec. 1807, known as the Embargo Act, which prohibited American vessels from sailing for foreign ports, all foreign vessels from taking out cargoes, and all coasting vessels were required to land their cargoes within the United States. This law passed the House by a vote of 82 to 44 and the Senate 22 to 6.

Jefferson said "the effect of the law had been to save our mariners and our vast mercantile property, as well as affording time for prosecuting the defensive and provisional measures called for by the occasion."

The embargo was denounced by the Federal party and, perhaps, no where more violently than in New England. Jefferson was accused of procuring it in the interest of France as it would disastrously affect, the manufacturing industries of Great Britain that, unlimited in duration instead of regulating commerce, as authorized by the Constitution it destroyed it, and that if intended as a measure of safety, those who were willing to assume the risks were the best judges of the

dangers which they incurred. Ships, it was said, remained idle and went to decay in their harbors, products of the soil or of mechanical industry accumulated and depreciated in value for the want of a market, evasion of law and a clandestine commerce weakened the tone of public morals, dulled the moral susceptibilities of courts and jurors; and politicians, with all the ingenuity and eloquence at their command, drew fanciful pictures of the public distress and drowned the voice of reason and the promptings of patriotism by appeals to excited passions and party interest. Although the extent of the disaffection in New England may have been exaggerated, and especially in Massachusetts where it doubtless attained the greatest proportions, it was sufficiently great to excite apprehension in the bosoms of Jefferson and his political friends and they were induced to modify it by a non-intercourse law which removed the Embargo from the whole world but the two belligerents, and from them upon certain conditions. The elder Adams approved of the Embargo and his son favoring that measure, as well as some other acts of the Administration, so offended his old friends who had placed him in the United States Senate that he resigned that position in 1808 and in 1809 was appointed by the president minister to St. Petersburg. In November of the latter year he confidentially informed Mr. Giles, one of the prominent supporters of the administration, of the embittered feeling which the Embargo

had enkindled in Massachusetts, that the people were constantly instigated to forcibly resist it, that juries after juries would acquit, regardless of the decision of courts, upon the ground of its unconstitutionality; that a separation of the Union was openly stimulated in the public prints, that a convention of delegates of the New England States was proposed to be held at New Haven; that the objects of the leaders of the Federal party had been for several years a dissolution of the Union and the establishment of a separate confederacy; and that, if civil war ensued, they would secure the aid of Great Britain. These facts, he claimed, he knew from unequivocal evidence, although not proveable in a court of law. In imparting his information he took occasion to assure Mr. Giles that he had no personal or interested motive for his support of Mr. Jefferson's administration and had no favor to ask of him whatever! The information thus communicated as to Eastern disaffection reached Mr. Jefferson and probably had great influence in procuring a modification of the Embargo, as it also undoubtedly had the effect of strengthening, if not to a considerable extent creating, the impression which seized upon the public mind outside of New England, that she was the hot bed of traitors and over-run with treason. From disclosures in 1828, it would seem that federalism and the loyalty of New England was receiving its severest blows, without suspecting their source from one who had enjoyed their

confidence and whose father had been honored by their unanimous support.

In 1808, James Madison, the trusted friend of Jefferson, was elected president, receiving one hundred and twenty two electoral votes, including the six of Vermont while his federal competitor received only forty-seven of which Massachusetts, Connecticut, Rhode Island and New Hampshire gave thirty-nine. It was a period of gloom and despondency in those States, and a committee of the legislature of Massachusetts, in January 1809, thus depicted it.

“Our agriculture is discouraged. The fisheries abandoned. Navigation forbidden. Our commerce at home restrained, if not annihilated. Our commerce abroad cut off. Our navy sold, dismantled, or degraded to the service of cutters or gunboats. The revenue extinguished. The course of justice interrupted, and the nation weakened by internal animosities and divisions, at the moment when it is unnecessarily and improvidently exposed to war with Great Britain, France and Spain.”

At a time of commercial distress so alarming according to the testimony of his political adversaries, and of party animosity at its highest pitch, Madison entered upon his presidential duties embarrassed abroad by the arrogant conduct of England and France, and at home, by the vituperations and attacks of political opponents and sometimes by the disapproval of friends.

Decidedly a man of peace, he fully realized the responsibility that rested upon him in the event of war, and the procrastination caused by the negotiations to avert it, irritated some of his own party while his opponents tauntingly proclaimed that "he could not be kicked into a war." His revilers, however, were destined to be undeceived and with peaceful measures and patience exhausted, war was finally declared against Great Britain June 18th, 1812. Anterior to this as well as during the war. New England continued to be convulsed with party strife, first one party then the other securing the ascendancy.

Elbridge Gerry, a revolutionary patriot, and afterward vice president of the United States, was elected governor of Massachusetts by the republicans in 1810, and in 1811, with both branches of the legislature on the same side. The next year he was succeeded by Caleb Strong, federalist, with the house of representatives of the same party.

In his message, while adverting to the condition of the country, he said; if those measures are thought to be unjust or particularly injurious to this part of the Union let us cherish a confidence in the wisdom and justice of the other states and wait with patience for the remedy provided by the constitution."

The federalists obtained control of Vermont electing Martin Chittenden governor in 1813 and 1814.

A controversy arose between those governors and the president as to the constitutional rights of the latter to order detachments of the state militia to be marched into other states and placed under United States officers, insisting that the executives of the several states had the power to determine if the exigency under the constitution of the United States had arisen so as to require the state militia or any part of it to be placed in the service of the United States at the request of the president. The judges of the Supreme Court of the state sustained this view of the subject, but in 1827, after the subsidence of party spirit, the Supreme Court of the United States unanimously rejected it.

The governors of Massachusetts and Connecticut, acting under their own convictions, refused to obey the president's requisition for the militia to defend the maritime frontier.

When Congress convened the correspondence of the refusing governors was laid, by the president, before that body and in his message he condemned their action as founded on a novel and unfortunate exposition of the constitution and against the example of Washington in 1794, when he placed the militia of several states called out to suppress insurrection, under a governor of Virginia during his own absence.

Chittenden, the governor of Vermont, was also inflexibly opposed to the militia going out of the state, except in a contingency provided for by

the constitution and a body of them having voluntarily placed themselves under the command of a United States officer, at Plattsburg, New York, he issued a proclamation ordering them to return and expressing his extreme regret at their movement for "the defence of a sister state, fully competent to all the purposes of self defence, leaving the Vermont frontier in a measure unprotected and exposed to the ravages of an exasperated enemy."

This proclamation filled the militia with indignation, his messenger, who conveyed it, was summarily expelled from camp, and the officers made a reply asserting that they were in the actual service of their country; that if *legally* ordered into that service he had no authority to order them out, and that if *illegally* ordered into it, their continuance was either voluntary or compulsory, and if the latter they had their redress by an appeal to the laws of their country; that in either case he had no right to interfere, and that an invitation or order to desert the standard of their country would not be obeyed by them, although proceeding from the governor and captain general of Vermont. Indignation was not confined to the camp, and Mr. Sharp, of Kentucky, at the following session of Congress, introduced resolutions looking to a criminal prosecution of the governor of Vermont for enticing soldiers, by his proclamation, to desert the service of the United States. The delegation of the

latter state was republican and objected to the resolutions; Mr. Fisk, one of the number, stating that he believed few people in his state approved of the proclamation and that he was certain the delegation from the state condemned it. The resolutions were laid on the table and not called up.

However great the obloquy incurred by the governor from his historic proclamation, he soon had an opportunity to evince his loyalty to his own state and his alacrity to repel a large British force invading New York. Receiving information in April from the United States officers at Plattsburg, of a probable immediate attack upon the vessels of Macdonough's fleet then at the mouth of Otter Creek, in Vermont, and others then on the stocks, he promptly ordered out fifteen hundred of the militia for their protection and to remain as long as necessary for that purpose. When an attack was made on the first of the following month the militia in the vicinity participated in the gallant repulse of the enemy. The fleet, in September, achieved a splendid and memorable victory on Lake Champlain, accompanied by the disastrous defeat at Plattsburg, of the British army under General Provost.

This signal land victory was achieved with the aid of twenty-five hundred Vermont volunteers under General Strong, called to the service by the governor, in the absence of a requisition from the president, upon the application of Gen-

eral Macomb for assistance. These victories were followed by great rejoicing throughout the state.

The governor, in his message to the legislature in October, congratulated them upon the grand results "so glorious to the American arms, and reflecting the highest honor upon the patriotism, spirit and valor of our fellow citizens, who without distinction of age, character or party, were ready to brave danger in its most formidable appearance for the defence of their country."

He also bestowed the highest encomiums upon Strong, Macdonough and Macomb. Amid the general exultation over the victories he could not abstain from saying: "But I consider it due to myself, and more especially to my constituents, explicitly to state that the events of the war have in no wise altered my opinion of its origin or its progress. I have conscientiously and uniformly disapproved of it as unnecessary, unwise and hopeless in all its offensive operations."

A committee representing the state of New York presented a sword to General Strong having on the scabbard this inscription:—"Presented by his Excellency, Daniel D. Tompkins, Governor of the State of New York, pursuant to a resolution of the Senate and Assembly of said State, to Major General Samuel Strong, of the Vermont volunteers, as a memorial of the sense entertained by the State of his services, and those of his brave mountaineers at the battle at Plattsburg."

Hon. E. P. Walton,* the editor of that valuable work, the Records of the Governors and Council of Vermont, with prardonable state pride thus avers to the ardor and patriotism of the people of the state as follows:

“Scrupulous as to his right to order the militia out of the State, to be commanded by a United States officer, Gov. Chittenden had called for volunteers. This call was at once responded to, not only in the western counties, nearest the scene of battle, whose men arrived in time to take part, but also in central and eastern Vermont. Irrespective of party spirit or age, the people turned out *en masse*, fathers and sons, veterans of the revolution, and lads too young for military service, and all pressed on toward the Lake. Had Provost carried Plattsburg and undertaken to winter at Ticonderoga, the Vermonters alone would have penned in his army and forced it by starvation to surrender.”

The message of 1814 was the last which the sturdy, independent and conscientious govenor Martin Chittenden had an opportunity to make. Vermont at the next election wheeled back into the republican line and the federal party in the state, in a few years, dissappeared as a party organization.

As much as the people of New England had been divided and convulsed upon peace and war

*Formerly member of Congress.

measures, and other political questions, fresh fuel was added to an excited party spirit by the initiation, in 1814, of the memorable Hartford convention.

In his message, in October, of that year, governor Strong, of Massachusetts, called the attention of the state legislature to the exposed condition of the state to hostile attacks and to the depressed condition of commerce. The committee to whom the subject was referred, through the Hon. H. G. Otis, submitted a report with several resolutions, one in favor of the volunteer enlistment of ten thousand men for twelve months or during the war, to be organized with officers appointed by the governor for the defence of the state; one for appointing delegates to a convention with an invitation to the other New England states to participate and consult upon the public grievances and the best means of defence, and also upon measures to procure a convention of delegates from all the states in order to revise the constitution thereof and more effectually to secure the support and attachment of all the people by placing all upon the basis of fair representation.

The resolutions were adopted, but thirteen Senators and seventy-six members of the House filed protests against the action of the majority. Invitations were accepted by Rhode Island and Connecticut but not by New Hampshire and Vermont. In the former state there was no opportu-

nity for the legislature to act upon it, the council being republican, refusing to convene for that object. It was considered, however, by the legislature of Vermont, which was strongly federal. A Council of twelve members constituted one branch of the legislature but some years afterward was superceded by a state senate.

When the invitation of Massachusetts was submitted by Governor Chittenden, it was referred to a joint committee of three on the part of the Council, and six on the part of the House, those of the Council being Wm. Hall, Jr., Nicholas Baylies and John W. Chandler; those of the House Nathaniel Niles, Chauncey Langdon, Henry Olin, Asa Lyon, John Philips and David Edmond; of these, six were federalists and three republicans.

The committee unanimously reported against appearing or participating in the convention and both branches with unanimity concurred in the report.

The convention convened at Hartford, Connecticut, closing their proceedings early in January, 1815, having carried them on under a cloak of impenetrable secrecy, recommending that Congress should be asked to permit the states separately or in concert to assume the defence of their territory against the enemy and the application of a reasonable portion of the taxes collected within them to that purpose; that several amendments should be made to the

National Constitution to apportion representation and direct taxes according to the number of free persons; and providing that no new state should be admitted, no Embargo laid for more than sixty days, that no interdiction of commerce between the United States and foreign governments should be permitted, that no declaration of war should be made, nor authorization of acts of hostility against any foreign nations except such acts should be in defence of the territories of the United States, without the concurrence of two-thirds of both branches of Congress, also that no person thereafter naturalized should be eligible to any civil office under the authority of the United States, and that no person should be elected president for the second term.

If an application to Congress proved unsuccessful, peace not concluded and the defence of the New England states neglected as had been done, they assert, from the commencement of the war, they express the opinion that it would be expedient for the states to send delegates to a convention to be held in Boston in the following June to consult, and act as the crisis should require. The legislature of Massachusetts approved the report and appointed delegates to proceed to Washington, Connecticut taking similar action.

The secrecy which enshrouded the convention, and which was not removed from its Journal for several years, gave loose rein to rumor with her hundred tongues and to the imputations of

exasperated political foes. Aroused at last by the continual representation of treasonable designs, Otis and other leading federalists of Massachusetts declared that "the main object of the convention was the defence of this part of the country against the common enemy." That proceedings and report of the convention was in conformity with this object, that the convention adjourned early in January, 1815, and that on the twenty-seventh of the same month Congress passed an act which gave the state the power sought by Massachusetts, viz. that of "raising, organizing and officering state troops to be employed in the state raising the same or in an adjoining state, and providing for their pay and subsistence." That, they say, "was the most important object aimed at by the institution of the convention, and by the report of that body. Had this act of Congress passed before the act of Massachusetts for organizing the convention, that convention would never have existed, and that they had never known nor suspected the party which prevailed in Massachusetts in 1808, or any other party in this state ever entertained the design to produce a dissolution of the Union or the establishment of a separate confederation."

The federal mission to Washington, was, however, suddenly arrested as the tidings of Jackson's great victory at New Orleans and of the treaty of peace swept over the land, welcomed every where by bonfires, illuminations, booming of cannon and general exultation, drowning the voice

of party strife and carrying to the federal party the deep conviction of its complete and final overthrow.

In Massachusetts, at the following election, the republicans carried the state, and the senate at once rescinded the unpatriotic resolution of a former federal senate, in the matter of the capture of a British frigate, which denounced the war as unjust and unnecessary.

The accession of the Republican Monroe to the presidency, in 1816, inspired confidence in the triumphant party that their victory was complete and enduring, and introduced an "era of good feeling," which subdued the asperities of former strife, and henceforth old political adversaries co-mingled in opposing or supporting public men and measures as their individual sense of duty dictated. In after years many New England federalists of 1812, occupied high and responsible positions in public life, conspicuous among them being that eminent orator, jurist and statesman, Daniel Webster, of Massachusetts, and also Samuel Prentiss of Vermont, who, for many years adorned the judiciary of his state by his legal ability, and then faithfully served for twelve years in the Senate of the United States with great credit to himself and satisfaction to his constituents.

GENEALOGY.

Genealogy of a part of the Ripley Family, collected from a compilation by H.W. Ripley, Harlem, N. Y. Published in 1867.

FIRST GENERATION:

William Ripley, of West Bridgewater, Massachusetts.

SECOND GENERATION:

Margaret, Sarah (b. 1696. m. Geo. Bryant) John, Martha (m. John Rawson) William, Samuel.

{ Johnathan (b. Mar. 5, 1707, d. Aug. 10, 1772) Timothy, Christopher.

THIRD GENERATION:

{ Johnathan m. Hannah Sturtevant, of Halifax, Mass.

CHILDREN:

Abigail, m. Ames, Rebecca, Perez, Johnathan, Abner, (m. Elizabeth White) Hannah.

{ Sylvanus, (b. Sept. 29 1749, d. Feb. 5. 1787.)

FOURTH GENERATION:

{ Sylvanus, Rev. (m. Abigail, daughter of Eleazer Wheelock, Pres. Dart. Coll. who died April 9, 1818.)

CHILDREN:

John Philips, [d. Mar. 7, 1816, aged 40 years.]

Mary, [b. Nov. 4. 1778. m. Nicholas Baylies, Judge of the Supreme Court, Montpelier, Vt. d. Feb. 6, 1830.]

Abigail, m. Dr. Eliphalet Lyman, of Woodstock, Conn.

Eleazer Wheelock, Maj. Gen U. S. A. and M. C. [b. April 15, 1781, d. March 2 1739.]

Elizabeth, [b. 1784 m. Hon. Judah Dana, U. S. Senator, Fryeburg, Mane.]

James Wheelock [b. March 12, 1786, d. June 2 1835.]



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