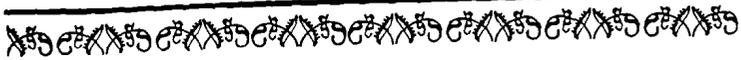


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GENTLEMEN FREEHOLDERS

*Political Practices
in
Washington's Virginia*

BY
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given; and when they voted they spoke for their families in much the same way that they acted for their families in selling tobacco, buying supplies, or arranging for the education of their children.

By twentieth-century standards, eighteenth-century Virginia fell far short of perfect democracy. But its imperfections, such as the exclusion of propertyless men from the polls and the requirement that voting be oral, were common elsewhere in that day. Virginia was ahead of Massachusetts and most other parts of America in the late colonial period in percentage of white inhabitants voting in elections.⁴² And Virginia was ahead of Americans in many later periods of history in that nearly half of those who were qualified to vote actually participated in elections, and this despite the handicap of having to ride many miles over poor roads to the single polling place in the county.



CHAPTER FOUR

*Swilling the Planters
with Bumbo*

IT WOULD BE pleasant to think that voters were good and wise in the bright, beginning days of the American nation; that in Jefferson's Arcadia, to use a popular euphemism, the sturdy, incorruptible freeholders assembled when occasion demanded and, with an eye only to the public good and their own safety, chose the best and ablest of their number to represent them in the Assembly. It is true that the voters of early Virginia chose their representatives and that often they chose remarkably well; but it is an error to think that the voters were the only positive active force at work in elections. For good or ill, the candidates and their friends also played an important part by using many forms of persuasion and pressure upon the voters.

A play called *The Candidates; or, the Humours of a Virginia Election*, written about 1770 by Colonel Robert Munford of Mecklenburg County, Virginia, provides valuable insight into the part played by candidates in the elections of eighteenth-century Virginia.¹ In this play one of the former delegates to the Assembly, Worthy by name, has decided not to stand for reelection. The other, Wou'dbe, offers himself once more "to the humours of a fickle croud," though

with reluctance, asking himself: "Must I again resign my reason, and be nought but what each voter pleases? Must I cajole, fawn, and wheedle, for a place that brings so little profit?"² The second candidate, Sir John Toddy, "an honest blockhead," with no ability except in consuming liquor and no political strength except his readiness to drink with the poor man as freely as with the rich, looks for support among the plain people who like him because he "wont turn his back upon a poor man, but will take a chearful cup with one as well as another."³ Scorned by the leading men of the county, the other two candidates, Smallhopes and Strutabout, a vain, showy fellow, are adept in the low arts of winning the support of ignorant men.

Each of these candidates had some influence, following, or support which, in the language of that day, was known as his interest. It was common practice at this time for two candidates to join interests, as the phrase went, in hopes that each could get the support of the friends of the other. When Sir John suggests to Wou'dbe a joining of interests by asking him "to speak a good word for me among the people," Wou'dbe refuses and tells him plainly "I'll speak a good word to you, and advise you to decline" to run.⁴ Because Wou'dbe could not, from principle, join interests with any one of the three other candidates, he loses votes by affronting first one and then another of them. Just in the nick of time, Wou'dbe's colleague Worthy descends from the upper reaches of respectability and greatness to save Wou'dbe from defeat and political virtue from ruin. With stilted phrase Worthy denounces "the scoundrels who opposed us last election" and directs Wou'dbe to "speak this to the people, and let them know I intend to stand a poll."⁵ The good men of the county rally to the side

of righteousness; Sir John (between alcoholic hiccoughs) announces "I'm not so fitten" as "Mr. Worthy and Mr. Wou'dbe"; Strutabout and Smallhopes, looking as doleful as thieves upon the gallows, are ignominiously defeated; and Worthy and Wou'dbe are triumphantly reelected.

Among the more important of the unwritten rules of eighteenth-century Virginia politics, a rule which the candidates and their advisers often mentioned was the necessity for candidates to be present at elections. Judge Joseph Jones, out of his ripe experience, wrote in 1785 to his young nephew James Monroe, "respecting your offering your service for the County the coming year, . . . it would be indispensably necessary you should be in the County before the election and attend it when made."⁶ In 1758 several of Washington's friends wrote him to "come down" from Fort Cumberland, where he was on duty with his troops, "and show your face" in Frederick County where he was a candidate for Burgess. One of his supporters warned him that "you being elected absolutely depends on your presence." Thanks to the hard work of his friends and the patriotic circumstances of his absence, Washington was elected; but it is evident that the absence of a candidate from the county before and during the taking of the poll was regarded as a distinct handicap.⁷

Fifty years later Henry St. George Tucker, who planned to stand for election at Winchester, was delayed by bad weather and other circumstances at Staunton. He wrote to his father: "I shall not be able to reach Winchester time enough for the election and I presume I shall be withdrawn in consequence of what I have written to my friends in Winchester."⁸ But by hard driving he made it, arriving "a few moments before the polls were opened"; and he was elected.⁹

As late as 1815 Tucker continued to place himself personally before the people while the voting was in process. Even though he was "still very weak" from illness, he played his part in an election of that year while the enormous number of 737 votes was polled until, as he wrote his father, "fatigue well nigh overcame me."¹⁰

A sharp distinction must be made between election-day and pre-election behavior of the candidate toward the voter. The code of the times required that in the days before the election the candidate maintain a dignified aloofness from the voters; however, this rule was broken perhaps as often as it was observed. The tipsy Sir John Toddy, in *The Candidates*, assisted by his henchman Guzzle, tries unabashedly to work himself into the good graces of three freeholders named Prize, Twist, and Stern. As they and their wives are sitting on a rail fence, with other freeholders standing about, Sir John comes up to a group. At his shoulder stands Guzzle to whisper the names of the prospective voters to him.

Sir John. Gentlemen and ladies, your servant, hah! my old friend Prize, how goes it? how does your wife and children do?

Sarah. At your service, sir. (*making a low courtsey.*)

Prize. How the devil come he to know me so well, and never spoke to me before in his life? (*aside.*)

Guzzle. (*whispering to Sir John*) Dick Stern.

Sir John. Hah! Mr. Stern, I'm proud to see you; I hope your family are well; how many children? does the good woman keep to the old stroke?

Catharine. Yes, an't please your honour, I hope my lady's well, with your honour.

Sir John. At your service, madam.

Guzzle. (*whispering [to] Sir John*) Roger Twist.

Sir John. Hah! Mr. Roger Twist! your servant, sir. I hope your wife and children are well.

Twist. There's my wife. I have no children, at your service.¹¹

James Littlepage, a candidate for burgess in Hanover County in 1763, practiced nearly every art known to his generation for getting his candidacy before the people and winning their support. The gathering of worshippers at church services afforded him an opportunity to meet people; but unfortunately, he could not be at two churches at the same time. Deciding that it was more important to go to a dissenting congregation, he prepared the way by letters to two freeholders in which he announced that he would "be at your Church To-morrow Se'nnight," and asked their support, setting forth the platform on which he was campaigning and circulating the false rumor that his opponent had "declined serving this County."

To take care of matters at the other church which he was unable to attend personally, he sent a letter to three freeholders for them to read and pass about among those in attendance. As one of those who saw the letter recalled its substance, Littlepage wrote that he "was that Day gone to the lower Meeting House of the Dissenters, to know their Sentiments whether they would submit to the damned Tobacco Law, and desired to know whether they also would submit to it; that if they would send him Burgess he would be hanged, or burnt (or Words to that Effect) if he did not get that Part of it, directing a Review of Tobacco, repealed, as

being an Infringement on the Liberty of the Subjects, the Inspectors being so intimidated by it that they refused the greater Part of their Tobacco; and that he would endeavor to have the Inspectors chosen by the People."

To meet the voters who could not be found in assemblies, Littlepage went on a house-to-house canvass. After discussing his chances in one part of the county with his friend John Boswell, and being assured that "he might have a good Chance, if he would go up amongst them," Littlepage "accordingly went up, and the said *Boswell* rode about with him among the People." He was the soul of hospitality, inviting those who lived at some distance from the courthouse to spend the night with him on their way to the poll. Littlepage was elected.¹²

James Madison in his old age recalled that when he entered politics it was "the usage for the candidates to recommend themselves to the voters . . . by personal solicitation."¹³ Madison thoroughly disliked this practice. Shortly before the election of representatives to the first Congress of the United States he wrote from Philadelphia to George Washington: "I am pressed much in several quarters to try the effect of presence on the district into which I fall, for electing a Representative; and am apprehensive that an omission of that expedient, may eventually expose me to blame. At the same time I have an extreme distaste to steps having an electioneering appearance, altho' they should lead to an appointment in which I am disposed to serve the public; and am very dubious moreover whether any step which might seem to denote a solicitude on my part would not be as likely to operate against as in favor of my pretensions."¹⁴

Colonel Landon Carter, writing in 1776, said that he had

once been "turned out of the H. of B." because "I did not familiarize myself among the People," whereas he well remembered his "son's going amongst them and carrying his Election." The contrasting experiences of father and son suggest that going among the people was important to get a man elected. However, the son, Robert Wormeley Carter, lost his seat in an election in Richmond County in 1776 even though, according to his father, he had "kissed the—of the people, and very seriously accommodated himself to others." With mounting anger the Colonel wrote: "I do suppose such a Circumstance cannot be paralleled, but it is the nature of Popularity. She, I long discovered to be an adultriss of the first order."¹⁵ The son was likewise displeased with the decision of the voters, but he naturally thought that his campaign methods were above reproach. He wrote in his diary "as for myself I never ask'd but one man to vote for me since the last Election; by which means I polled but 45. votes an honorable number."¹⁶

Father and son were miles apart in describing what the son had done; but they were in complete agreement as to what he ought to have done. Both thought that candidates should not solicit votes, and there were other men who thought exactly as they did. Henry St. George Tucker wrote to his father before an election to be held on April 6, 1807, "Please to take notice also, that I am no *electionerer*." "I have studiously avoided anything like canvassing. . . . My opponents are sufficiently active I learn." Of his victory he wrote: "it has been entirely without solicitation on my part."¹⁷ Eight years later he was again elected though he declared that he had "never attended a public meeting or been at the home of a single individual,

and though my adversary and his friends had ransacked the county in the old Electioneering Style.”¹⁸

The contrast between ideal and reality was well illustrated by statements made during an election quarrel in Accomac County. The following advice was given to the freeholders: “If a man sollicitly you earnestly for your vote, avoid him; self-interest and sordid avarice lurk under his forced smiles, hearty shakes by the hand, and deceitfully enquires after your wife and family.” However, it was said, referring to the candidates, that “every person who observes the two gentlemen, allows that the smiles of Mr. S—h are more forced than Mr. H—ry’s, and of this Mr. S—h himself is so conscious that he has declared, he would give an Hundred Pounds could he shake hands with the freeholders, and smile in their faces with as good a grace as Col. Pa—e, that he might be more equally match’d.”¹⁹

Some candidates sought to injure a rival by starting the rumor that he was withdrawing from the race,²⁰ that he had joined interests with an unpopular man, that he was a common drunkard, that he despised poor folks, or that “It’s his doings our levies are so high.”²¹ If the rumor was false, it was better for the candidate to keep silent and let one of his supporters circulate it. More often, the candidate, with the help of his friends, undertook to set himself and his views on current issues in a favorable light.

Sir John Toddy, whose supporters were great lovers of rum, promised to get the price of that article reduced,²² and it is said of Strutabout that “he’ll promise to move mountains. He’ll make the rivers navigable, and bring the tide over the tops of the hills, for a vote.”²³ The noble Worthy promised no more than to “endeavour faithfully to discharge the trust

you have reposed in me.”²⁴ And Wou’dbe answered the questions of the voters with carefully measured words. When asked if he would reduce the price of rum and remove an unpopular tax, he answered, “I could not,” explaining that it would be beyond his power to accomplish these things. His position on other matters is set forth in the following dialogue.

Stern. Suppose, Mr. Wou’dbe, we that live over the river, should want to come to church on this side, is it not very hard we should pay ferryage; when we pay as much to the church as you do?

Wou’dbe. Very hard.

Stern. Suppose we were to petition the assembly could you get us clear of that expense?

Wou’dbe. I believe it to be just; and make no doubt but it would pass into a law.

Stern. Will you do it?

Wou’dbe. I will endeavour to do it.

Stern. Huzza for Mr. Wou’dbe! Wou’dbe forever!

Prize. Why don’t you burgesses, do something with the damn’d pickers? If we have a hogshhead of tobacco refused, away it goes to them; and after they have twisted up the best of it for their own use, and taken as much as will pay them for their trouble, the poor planter has little for his share.

Wou’dbe. There are great complaints against them; and I believe the assembly will take them under consideration.

Prize. Will you vote against them?

Wou’dbe. I will, if they deserve it.²⁵

Littlepage, it will be recalled, promised to fight the existing system of tobacco inspection, and thereby was said to have

gained much favor with the people. He also proposed to have the inspectors chosen yearly by the freeholders of the county, an extension of democracy which must have seemed radical to some men of the time.²⁶ Friends of George Wythe, appealing to those who felt burdened by taxes, declared that "he would serve as Burgess for the said County for nothing," and they offered to "give Bond to repay any Thing that should be levied on the County for him." A rival candidate, William Wager, realizing that he must follow suit, immediately upon "hearing this Declaration, came up and said, he would serve on the same terms."²⁷

There is some evidence that the House of Burgesses frowned upon campaign commitments by candidates, especially upon those which reflected upon the prerogative of the House by promising that it would act according to the will of a single member. The powerful Committee of Privileges and Elections investigated the making of campaign promises by some of the candidates, and the committee gave detailed reports to the House of its findings. Perhaps it was to protect himself against the disapproval of the House that Littlepage, who had promised much during his campaign, "Just before the Poll was opened...publicly and openly declared, in the Court House, before a great Number of People, that he did not look upon any of the Promises he had made to the People as binding on him, but that they were all void."²⁸

There is no way of knowing how many of the candidates followed the rule approved by the Carters, Tucker, and Munford's character Wou'dbe: "never to ask a vote for myself,"²⁹ and how many of them followed the example of Littlepage in unashamedly and energetically courting the voters wherever they could find them, even going on house-to-house

canvasses. Most of the candidates seem to have operated between these extremes. While they did not insulate themselves from the voters before elections, they avoided unseemly and ostentatious activity in their mingling with the people. The distinction between approved and disapproved conduct was close, and it is easier to be sure that a line was drawn than to be sure just where it was drawn. A man was likely to shift a bit, depending on whether he was judging his own actions or those of his rival. John Clopton once gave his candidate son shrewd advice about cultivating the people and tricking a rival at the very time that he was fulminating against the tricks, deceptions, and intimidations practiced by the son's opponents!³⁰

Whether the candidates actively campaigned or not, a good many votes were committed before the election. The Quakers or the Presbyterians, the men along the south side of a river or in the northern corner of a county—these and other groups might discuss the candidates and decide which of them to support. Similarly, powerful men would let their friends, relatives, and dependents know how they stood toward the candidates. Thus, elections were often settled before they were held. A curious attempt to hold back this natural operation of democracy was made in a brief notice published in the *Virginia Gazette*. It was addressed "To the free and independent ELECTORS of the borough of NORFOLK," and it desired them "not to engage your votes or interest until the day of election, as a Gentleman of undoubted ability intends to declare himself as a candidate on that day, and hopes to succeed."³¹

From these cases it is evident that although many candidates entered the race several weeks before election day, a few

of them, like the unnamed gentleman of Norfolk or like Worthy in Munford's play, waited until the last minute before announcing their decision to stand a poll. John Marshall recalled in his old age that he had had the unusual experience of being made a candidate contrary to his wishes. He described the event, which occurred at Richmond during an election to the Virginia legislature in the spring of 1795, in the following words.

"I attended at the polls to give my vote early & return to the court which was then in session at the other end of the town. As soon as the election commenced a gentleman came forward and demanded that a poll should be taken for me. I was a good deal surprized at this entirely unexpected proposition & declared my decided dissent. I said that if my fellow citizens wished it I would become a candidate at the next succeeding election, but that I could not consent to serve this year because my wishes & my honour were engaged for one of the candidates. I then voted for my friend & left the polls for the court which was open and waiting for me. The gentleman said that he had a right to demand a poll for whom he pleased, & persisted in his demand that one should be opened for me—I might if elected refuse to obey the voice of my constituents if I chose to do so. He then gave his vote for me.

"As this was entirely unexpected—not even known to my brother who though of the same political opinions with myself was the active & leading partisan of the candidate against whom I voted, the election was almost suspended for ten or twelve minutes, and a consultation took place among the principal freeholders. They then came in and in the evening information was brought me that I was elected. I regretted

this for the sake of my friend. In other respects I was well satisfied at being again in the assembly."³²

Many of the candidates may have been perfectly circumspect in their pre-election behavior, but all of them, with hardly an exception, relied on the persuasive powers of food and drink dispensed to the voters with open-handed liberality. Theoderick Bland, Jr., once wrote with apparent scorn that "Our friend, Mr. Banister, has been very much engaged ever since the dissolution of the assembly, in swilling the planters with bumbo."³³ When he supplied the voters with liquor Banister was in good company; it included Washington, Jefferson, and John Marshall.³⁴

The favorite beverage was rum punch. Cookies and ginger cakes were often provided, and occasionally there was a barbecued bullock and several hogs. The most munificent as well as democratic kind of treat was a public occasion, a sort of picnic, to which the freeholders in general were invited.³⁵ George Washington paid the bills for another kind of treat in connection with his Fairfax County campaigns for a seat in the House of Burgesses. It consisted of a supper and ball on the night of the election, replete with fiddler, "Sundries &ca." On at least one occasion he shared the cost of the ball with one or more persons, perhaps with the other successful candidate, for his memorandum of expenses closes with the words: "By Cash paid Captn. Dalton for my part of ye Expense at the Election Ball. £ 8. 5. 6."³⁶

A supper and ball of this kind was probably more exclusive than a picnic-type of treat. Hospitality was often shown also to small groups, usually composed of important and influential men. Munford describes a breakfast given the morning of the election by Wou'dbe for the principal freeholders. Worthy

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was the guest of honor; fine salt shad, warm toast and butter, coffee, tea, or chocolate, with spirits for lacing the chocolate, were set before the guests; and although it was said that "we shall have no polling now," it was understood that all were for Worthy and Wou'dbe.³⁷

It was a common practice for candidates to keep open house for the freeholders on their way to the election, and it is a marvel where space was found for all to sleep. When Littlepage heard that some of the voters who lived more than twenty-five miles from the courthouse were unwilling to ride so far in cold weather, he invited them to call at his house which was about five miles from the courthouse. Some ten of them came and were hospitably entertained, "though their Entertainment was not more than was usual with him." Some of the company "were pretty merry with Liquor when they came" to his home. That evening "they chiefly drank Cider." "Some of them drank Drams in the Morning, and went merry to the Court House."³⁸

Candidates frequently arranged for treats to be given in their names by someone else. Lieutenant Charles Smith managed this business for George Washington during a campaign in Frederick County in 1758. Two days after the election, which Washington had not been able to attend, Smith sent him receipts for itemized accounts that he had paid to five persons who had supplied refreshments for the voters.³⁹ A year or two earlier in Elizabeth City County Thomas Craghead sought to repay William Wager, a candidate for burgess, for help he had once received in time of distress. He invited several people to Wager's house and out of his own purse entertained them with "Victuals and Drink." He also had a share in treating all who were present at a

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muster of Captain Wager's militia company, after which they drank Wager's health.⁴⁰

Samuel Overton, a candidate in Hanover County, directed Jacob Hundley "to prepare a Treat for some of the Freeholders of the said County at his House." Later, Overton withdrew from the race, but a group of freeholders, perhaps ignorant of Overton's withdrawal, came to Hundley's house. He thereupon sent a messenger, desiring Overton's "Directions whether they were to be treated at his Expense," and Overton ordered him "to let them have four Gallons of Rum made into punch, and he would pay for it."

At this juncture some of the finer points of campaigning begin to appear. Littlepage, an active candidate, was among those present at Hundley's house; and Littlepage had agreed in return for Overton's withdrawal to reimburse Overton the sum of £ 75, which was the expense he had incurred in this and a previous election. As a codicil it was agreed that Littlepage would pay only £ 50 in case "Mr. Henry," presumably Patrick Henry, should enter the race and be elected. While the treat was in progress Hundley told Littlepage "that the Liquor was all drank." He immediately ordered two gallons more, telling Hundley that he supposed Overton would pay for it. Whether any of the company heard this conversation is in doubt; but this much is clear, that Littlepage paid Overton to withdraw, that Littlepage attended a treat for Overton's friends, and that Littlepage succeeded, according to the testimony of one of the guests, in winning "the Interest" of most of them.⁴¹

On election day the flow of liquor reached high tide. Douglas S. Freeman calculated that during a July election day in Frederick County in the year 1758, George Washing-

ton's agent supplied 160 gallons to 391 voters and "unnumbered hangers-on." This amounted to more than a quart and a half a voter. An itemized list of the refreshments included 28 gallons of rum, 50 gallons of rum punch, 34 gallons of wine, 46 gallons of beer, and 2 gallons of cider royal.⁴² During the close and bitter struggle between John Marshall and John Clopton for a seat in Congress in 1799, a "barrel of whiskey . . . with the head knocked in" was on the courthouse green.⁴³

Defeated candidates often complained of the wrongdoing of their successful opponents. George Douglas of Accomac County alleged before the Committee of Privileges and Elections that Edmund Scarburgh, shortly before the issuance of the writ of election, had twice given "strong Liquors to the People of the said County; once at a Race, and the other Time at a Muster; and did, on the Day of Election, cause strong Liquor to be brought in a Cart, near the Court-house Door, where many People drank thereof, whilst the Polls of the Election were taking; and one Man in particular, said, *Give me a Drink, and I will go and vote for Col. Scarburgh*, . . . and drink was accordingly given him out of the said Cart, where several People were merry with Drink: But it doth not appear, whether that Person voted for the said *Scarburgh*, or not; or was a Freeholder." Contrary to the recommendation of the Committee, Scarburgh was seated.⁴⁴

Captain Robert Bernard was charged with intimidation as well as improper treating in his efforts to help Beverley Whiting win an election in Gloucester County. He attended a private muster of Captain Hayes' men and solicited the freeholders among them to vote for Whiting. "And the next Day, at a Muster of his own Company, the said *Bernard* brought

40 Gallons of Cyder, and 20 Gallons of Punch into the Field, and treated his Men, soliciting them to vote for Mr. *Whiting*, as they came into the Field; and promised one *James Conquest*, to give him Liquor, if he would vote for Mr. *Whiting*, which *Conquest* refused; and then *Bernard* said he should be welcome to drink, tho' he would not vote for him: That the said *Bernard* promised one *Gale*, a Freeholder to pay his Fine, if he would stay from the Election; which *Gale* accordingly did: That the Day of Election, the said *Bernard* treated several Freeholders, who said they would vote for Mr. *Whiting*, at one *Sewell's* Ordinary: And that, at the Election, one of the Freeholders said, he was going to vote for Mr. *Whiting*, because he had promised Capt. *Bernard* so to do; but that he had rather give Half a Pistole than do it: And other Freeholders, who were indebted to Col. *Whiting*, said, that Capt. *Bernard* told them, that Col. *Whiting* would be angry with them if they voted against Mr. *Whiting*; which the said *Bernard* denied, upon his Oath, before the Committee."

The House of Burgesses compelled Bernard to acknowledge his offense, to ask the pardon of the House, and to pay certain fees; and it requested the Governor to issue a writ for a new election in Gloucester County.⁴⁵

The law strictly prohibited any person "directly or indirectly" from giving "money, meat, drink, present, gift, reward, or entertainment . . . in order to be elected, or for being elected to serve in the General Assembly";⁴⁶ but in one way or another nearly all the candidates gave treats, and seldom was a voice raised in protest. One of the rare protests was adopted at a general meeting of the citizens of Williamsburg two years before the Declaration of Independence. In an address to Peyton Randolph, who was a candidate for re-

election to the House of Burgesses, the townsmen declared themselves to be "greatly scandalized at the Practice which has too much prevailed throughout the Country of entertaining the Electors, a Practice which even its Antiquity cannot sanctify; and being desirous of setting a worthy Example to our Fellow Subjects, in general, for abolishing every Appearance of Venality (that only Poison which can infect our happy Constitution) and to give the fullest Proof that it is to your singular Merit alone you are indebted for the unbought Suffrages of a free People; moved, Sir, by these important Considerations, we earnestly request that you will not think of incurring any Expense or Trouble at the approaching Election of a Citizen, but that you will do us the Honour to partake of an Entertainment which we shall direct to be provided for the Occasion."⁴⁷

Three years later young James Madison, feeling that "the corrupting influence of spiritous liquors, and other treats," was "inconsistent with the purity of moral and republican principles," and wishing to see the adoption of "a more chaste mode of conducting elections in Virginia," determined "by an example, to introduce it." He found, however, that voters preferred free rum to the high ideals of a young reformer; "that the old habits were too deeply rooted to be suddenly reformed." He was defeated by rivals who did not scruple to use "all the means of influence familiar to the people."⁴⁸ For many years to come liquor had a large part in Virginia elections. In 1795 Jefferson wrote that he was in despair because "the low practices" of a candidate in Albemarle County were "but too successful with the unthinking who merchandize their votes for grog."⁴⁹ In 1807 Nathaniel Beverley Tucker, writing from Charlotte Court House, in-

formed his father, St. George Tucker, that "In this part of the state . . . every decent man is striving to get a seat in the legislature. There are violent contests every where that I have been, to the great annoyance of old John Barleycorn, who suffers greatly in the fray."⁵⁰

Although the custom of treating was deeply ingrained, the law was not entirely disregarded. It did not prohibit a man's offering refreshment to a friend; it only prohibited treating "in order to be elected." Through various interpretations of these words most of the candidates found ways of dispensing largess to the freeholders without incurring the censure of the House of Burgesses and perhaps without suffering from an uneasy conscience. Everyone would agree that it was wrong to give liquor to "one *Grubbs*, a Freeholder," who announced at an election that "he was ready to vote for any one who would give him a Dram."⁵¹ Neither should a candidate ask votes of those whom he was entertaining though it was perhaps all right for him to make the general remark "that if his Friends would stand by him he should carry his Election."⁵² Some men thought that there should be no treating after the election writ was issued until the poll had been taken. James Littlepage "expressly ordered" Paul Tilman, whom he had employed "to prepare his Entertainment at the Election . . . not to give the Freeholders any Liquor until after the closing of the Poll," and Littlepage produced evidence to show that "none of them had any Liquor, except some few who insisted on it, and paid for it themselves."⁵³

To avoid the appearance of corruption, it was well for the candidate to have the reputation of being hospitable at all times. When William Wager's campaign was under investigation, especially in the matter of the treat given in his home

by one of his friends and another treat given in his honor to his militia company, Wager introduced evidence to show that he customarily entertained all who came to his house, strangers as well as freeholders, and that he usually treated the members of his militia company with punch after the exercises were over. "They would after that come before his Door and fire Guns in Token of their Gratitude, and then he would give them Punch 'til they dispersed, and that this had been a frequent Practice for several Years."⁵⁴

To avoid the reality as well as the appearance of corruption, the candidates usually made a point of having it understood that the refreshments were equally free to men of every political opinion. If a candidate's campaign was under investigation, it was much in his favor if he could show that among his guests were some who had clearly said that they did not intend to vote for him.⁵⁵ Washington reflected an acceptable attitude when he wrote while arranging for the payment of large bills for liquor consumed during a Frederick County election: "I hope no Exception were taken to any that voted against me but that all were alike treated and all had enough; it is what I much desir'd."⁵⁶ Washington seems to have followed this policy in subsequent elections. A young Englishman, who witnessed an election at Alexandria in 1774 when Washington was one of the two successful candidates, wrote: "The Candidates gave the populace a Hogshead of Toddy (what we call Punch in England). In the evening the returned Member gave a Ball to the Freeholders and Gentlemen of the town. This was conducted with great harmony. Coffee and Chocolate, but no Tea. This Herb is in disgrace among them at present."⁵⁷

Bountiful supplies of free liquor were responsible for much

rowdiness, fighting, and drunkenness, but the fun and excitement of an election and the prospect of plentiful refreshments of the kind customarily consumed in that day helped to bring the voters to the polls. Thus in a perverse kind of way treating made something of a contribution to eighteenth-century democracy. Although one sometimes found a man who lived by the rule, "never to taste of a man's liquor unless I'm his friend,"⁵⁸ most of the voters accepted such refreshments as were offered. As they drank, they were less likely to feel that they were incurring obligations than that the candidate was fulfilling his obligation. According to the thinking of that day, the candidate ought to provide refreshments for the freeholders. His failure to fulfill this obligation would be interpreted as a sign of "pride or parsimony," as a "want of respect" for the voters, as James Madison found to his sorrow.⁵⁹

The Virginia voter expected the candidate to be manly and forthright, but he wanted the candidate to treat him with due respect. He had the power to approve and reject, and the sum total of this consciousness of power among the voters was a strong and significant aspect of the democratic spirit in eighteenth-century Virginia.

TAMING DEMOCRACY

*“The People,” the Founders, and the Troubled Ending
of the American Revolution*

✧ TERRY BOUTON ✧

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Pennsylvanians only had to organize across the state to get their agenda put into law. Now, they would have to organize a majority of the states. Even then, popular reforms could be vetoed by the Senate or president or else overturned by the new Supreme Court. The one democratic victory in the saga of the Constitution, and it was a big victory, came later, when widespread popular opposition led the founding elite to concede to adding a Bill of Rights—a set of amendments that not even James Madison had originally wanted.

Meanwhile, the new Pennsylvania constitution signaled but the beginning of wide-ranging efforts to tame democracy within the state.

9

Roads Closed

DESPERATE OPPOSITION TO THE NEW ORDER

Rouse then my fellow citizens before it be too late; act with a spirit becoming freemen; convince the world and your adversaries . . . who wish to become your tyrants—That you are not insensible of the invaluable blessings of liberty—That you esteem life and property, but secondary objects; when your liberty comes to be attacked.

—“The Scourge” [William Petrikin], *Carlisle Gazette*, January 23, 1788

Something strange happened in the Pennsylvania countryside in the years following the federal Constitutional Convention of 1787: large numbers of farmers closed the main roads that led in and out of their communities. During an eight-year period, dating from the fall of 1787 through the fall of 1795, rural Pennsylvanians obstructed roads at least sixty-two times. The road closings were not confined to any particular county or region. The closings were more frequent in the central and frontier counties, but barriers also appeared in roads just twenty-five miles outside Philadelphia.¹

The obstructions were formidable. Throughout Pennsylvania, people constructed six-foot-high fences that stretched fifty feet across the highway. Some people felled trees across roads or hauled timber into log piles that sometimes measured thirty feet wide and forty feet long. Others blocked roads with heavy stones, decaying logs, and scrub brush. More often, they dug eight-foot-wide and five-foot-deep ditches in the road, imposing enough to halt any wagon or coach. One group in the southeastern county of Chester shoveled enough dirt out of the main highway to Philadelphia to create an impassable crater measuring fifty feet in circumference and seven feet deep. People in two other eastern counties flooded roads by carving out canals that redirected streams and rivers to flow across the highway. Along