

Review Essay

Two Scholars, a Century, and Some Riots:

By Brendan McConville, *These Daring Disturbers of the Public Peace: The Struggle for Property and Power in Early New Jersey*.

(Ithaca: Cornell University Press, 1999. Pp xiv, 318, notes, index. \$49.95 cloth.)

By W.W.H. Davis, *The Fries Rebellion, 1798-99*.

(Doylestown, PA: Doylestown Publishing Company, 1899; reprint, Bedminster, PA: Adams Apple Press, 1996. Pp. xvi, 120, appendices, index.)

Over the last four decades, historians of early America have labored to hear the voices and read the minds of common people. One of the most fruitful fields for that endeavor has been the subject of crowd action. Taking their cue from British and European scholars like E.P. Thompson and George Rudé, historians like Jesse Lemisch, Edmund S. Morgan, Gary Nash, and Paul Gilje have investigated the mob in early America's urban spaces. More recently, as study of the "frontier" in the colonial and early national periods has resurfaced, scholars like A. Roger Ekrich, Thomas P. Slaughter, and Alan Taylor have shifted the focus on crowd action from the city to backcountry, and have thus begun to tune in to the thought and language of early America's overwhelming agrarian majority. Brendan McConville's 1999 study of agrarian land rioting in colonial New Jersey is not only a superb recent addition to the rich and growing field of rural popular protest, but also an excellent specimen of post-revisionism on a number of key historiographical debates: the role of the crowd, localism versus cosmopolitanism, the nature of the middle colonies, the "Great Transition," Anglicization versus Americanization, liberalism versus republicanism, the coming of the Revolution, and more. McConville uses New Jersey's proprietary property claims and disputes to demonstrate the enormous complexities of these broader issues for both historians and their subjects, and makes keen observations about the future direction of these still hotly contested historiographic controversies.

These Daring Disturbers of the Public Peace poses a striking contrast with W.W.H. Davis's 1899 monograph on *The Fries Rebellion* of 1799,

a rural tax rebellion just across the Delaware River in eastern Pennsylvania's Bucks and Northampton Counties. Davis was not a historian but a newspaperman, the publisher of the Doylestown *Democrat* in Bucks County, who upon purchasing the paper and its back issues in 1859 discovered stories about an episode of taxing rioting that occurred in his own back yard only sixty years before. He used a reporter's instincts when he sought out the community's elders to mine their memories for a scoop on the story. Though not a trained scholar, Davis wielded a pen as whiggish as Brancroft or Fiske as he tinkered on his Fries Rebellion book for the next forty years. Davis's research is certainly not sophisticated, and he did not have the benefit of a century of professional scholarship on which to base his study. Yet he succeeded admirably at amplifying the voice of the plebeian class of early Americans via a technique that McConville could only dream of using: Davis actually spoke with some of the participants!

McConville's study, which is centered around the intense land rioting that destabilized colonial New Jersey in the 1730s and 40s, is divided into three sections: "Origins," "Conflict," and "To the Revolution." The "origins" of New Jersey's political and social instability lay in the overlapping land claims of Native Americans, original English and Dutch settlers, the English Crown, and the proprietors in the seventeenth century. Following the British capture of New Amsterdam in 1664, the Duke of York made Proprietors out of the Carterets and the Berkeleys, but in the meantime authorized New York's Governor Richard Nicolls to populate New Jersey as soon as possible. Nicolls did so with deeds of freehold, but the Proprietors and their heirs, whom McConville identifies as the "gentry," had other plans. They sought to hold title to all of New Jersey, to divide it into several great landed estates, and to live the life of gentlemen from the quitrents of their tenants. In so doing, the Proprietors claimed for themselves the Enlightenment's promise that secure property thwarts arbitrary abuses of governmental powers, but simultaneously emulated the British aristocracy in their attempts to become a leisured ruling elite.

The subsequent disputes between the gentry, who claimed ownership by Royal authority, and the "plebeians," who claimed ownership by purchase from original inhabitants (Native Americans), by Nicolls' deeds, or who as squatters based their claim on the value of their own labor, changed the way Jerseymen defined and defended property. McConville convincingly asserts that these common people drew

directly upon Lockean liberal ideology in their claims. Furthermore the disputants were separated not solely by property title, but by ethnicity, religion, and commerce. The disaffected were a diverse group of New England expatriates, Dutch settlers, Indians, and free African Americans who lived in insular, intimate communities where they obeyed local custom and deferred to local leaders of their own ethnicity, religion, or region, yet disdained authority figures outside of their own group. McConville maintains that this "ethno-deference" explains how the rioters manifested traits that were at once both classical and liberal, asserting a moral economy while violently opposing the colonial authority and all the while toasting George II. This is a useful concept that seems applicable to any of the middle colonies. The great Awakening helped both sides overcome racial and ethnic divisions. George Whitefield's exuberance and Theodorus Frelinghuysen's pietism appealed to those of the plebeian caste, while the gentry countered with the stoic and hierarchical Anglican Church. In addition, the contest for title was heightened by a scramble for the land's resources, principally timber and iron. The gentry envisioned a quasi-aristocratic, controlled economic development while the plebes developed a notion that they had a right to compete for resources and to themselves rise to positions of wealth and power.

The "conflict," or rather conflicts that arose in the 1730s were really only the resumption of the same battles fought by parents and grandparents just a generation before. At the close of the seventeenth century, disaffected claimants went out of doors to protest the proprietors' claims and governance and were successful in royalizing the colony. Over the ensuing three decades, the gentry had given up on collecting quitrents but they had not surrendered their desire to hold clear title to their aristocratic domain. Between 1735-1745, the proprietors sent their surveyors to mark the land, attempted to collect quitrents, and tried to evict the settlers and replace them with proprietary (rent-paying) tenants. The plebes responded by forming extralegal governing bodies called "committees," wherein the disaffected from a county would elect their own representatives who sat in a colony-wide unicameral assembly, or a "coalition" called the "Committee of the Disaffected" that they hoped would supersede the New Jersey Assembly. This they claimed as their right from the English Country tradition established in the seventeenth century uprisings against proprietary government. This is quite a challenging combination of characteristics that McConville attributes to the disaffected Jerseymen—

they were classical localists who banded together with other parochials from across the colony to protect liberal property rights using Country ideology. This certainly challenges the historiographic boxes that have been created for eighteenth century Americans who were headed "to the Revolution."

In addition to extralegal governing bodies, the people also rioted. When the proprietors used the constabulary to arrest their opposing claimants for trespass, groups of the disaffected, organized by committees and by militia units, armed themselves and forcefully broke into jails to free their neighbors. When the proprietors sued the disaffected for arrears, the mobs shut down the courts or attacked the lawyers. Other times the rioters attacked the persons and homes of the proprietors' tenants, forcing them off the land. It is solely in the discussion of the rioting that this book's few weaknesses lie. The author writes of "the outbreak of violence," "violent incidents," "violent episodes," "collective violence," "violent resistance" and "ritualistic violence" in chapter five, yet he does not distinguish between ritual and interpersonal violence. There were instances when the mob attacked a person's property, and then there were incidents when the mob crossed the line and attacked a person. One man was so severely beaten as to be incapacitated for six months. What factors in New Jersey led the crowd to include interpersonal attacks in their displays of ritualistic violence? This is not a new question, but it is still one that begs to be answered, especially in a book so strong in complex, multi-causal explanation.

Furthermore, with the exception of one example, the author makes no other attempt to reveal the identities and character of the hapless proprietors' tenants who were the targets of the crowd's "collective violence." Were they part of the local community or outlanders? Were they Old Lights or New? If they were resident and awakened, this could pose some problems for the author's earlier assertion of the homogeneity and parochialism of New Jersey towns and the resultant "plebeianization" of the residents against the gentry proprietors. Finally, the author fails to disclose a specific record of success of either the gentry and their attempts to clear title, or the plebes and their efforts to retain their land. By the nineteenth century, we are told, New Jersey's land began losing value as the west opened up, the old Eastern Board of Proprietors had gone defunct, and the proprietors themselves had fled as Loyalists after the war, died off, or moved on. Yet, in the 1730s and 40s, it would be helpful to know how many of the proprietors' suits were litigated and executed successfully, or more

important, how many failed. The mob's frequency of success must have increased the people's faith in their committees and the coalition, since by 1747, the author claims, the colony's "royal institutions stood on the brink of collapse." Moreover, in spite of such power and confidence in the people, there always seemed to be lawyers willing to take the proprietors' cases; there were always courts and judges to adjudicate the law; there were always constables and sheriffs to enforce evictions and make arrests; and there always seemed to be jails for the rioters to break. The proprietors' and the authorities' powers were certainly constrained but it is unclear whether or not the people had them "on the brink of collapse." Indeed, it was the royal appointment of a new governor in 1747 that, among other factors, helped stem the violence, drained power from the Committee of the Disaffected, and restore power to the Assembly. Jonathan Belcher was a New Light New Englander who quieted the proprietors' charges of treason and "kept the disaffected from the hangman's noose."

By 1769, the colony again erupted in violence as the proprietors pushed their claims once more. This time, the disaffected used the Whig language of opposition stemming from the imperial divergence that they had been reading in newspaper reports from New York, while the proprietors continued to claim their lands on royal authority. These battle lines led to New Jersey's civil war during the Revolution and the ultimate destruction of many of the proprietary Loyalists. While McConville rightly reminds us that the Revolution's roots run much wider and deeper than the imperial reorganization of the 1760s and 70s, his book also proves that colonial history is not just a preface to that later event, but is a rich and textured story unto itself. This book is a valuable addition to the fields of crowd action and the middle colonies, and should quickly find its way onto the reading lists of graduate and undergraduate students alike, and onto the shelves and desks of Early American scholars.

William Watts Hart Davis's book, *The Fries Rebellion*, will likely find its way to far fewer shelves and desks, and probably nary a reading list, but scholars of collective popular protest in Early America will be pleased with this little old book. When I was a graduate student, working for the Special Collections and Archives division of my university's library, I was fortunate to run across an original 1899 edition, of which few remain, that ultimately steered me toward my Ph.D. dissertation. Today, thanks to the efforts of the late Harry C. Adams, and his wife Peggy Adams who finished the project after Harry's passing, we have a reprint edition with a new comprehensive index and a helpful map that

will make the subject of Fries Rebellion accessible to subsequent generations. And it is a subject that has garnered some considerable attention lately, as *Pennsylvania History* dedicated an entire issue to the Fries Rebellion in Winter 2000 to commemorate the bicentennial.

The Fries Rebellion is actually somewhat of a misnomer, in large part due to this very book. Contemporaries referred to the event as the Northampton Insurrection, as the predominantly German-American citizens of Northampton County, joined by lesser numbers from Bucks and Montgomery Counties, actively resisted the assessment of their property by the federal government under the Direct Tax Act of 1798. Davis, a Bucks County resident, focused his attention on John Fries, a militia captain from Lower Milford Township in Upper Bucks County, who led a combined force of militia from Bucks and Northampton into Bethlehem on March 7, 1799, to demand the release of Northampton men who had been jailed for resisting the tax. In reality, Fries only agreed to lead the more numerous Northampton group when the Bucks men met them at the bridge crossing the Lehigh River on the south side of Bethlehem, and the Northamptoners, without a superior officer, asked Fries to take the lead. Largely due to Fries' influence and the Federal Marshall's discretion, the armed force succeeded in securing the prisoner's release without violence.

Nevertheless, in the months that followed, the Adams administration declared the Pennsylvanians to be in open rebellion, and charged Fries and two others with treason. The three were convicted in two sensational trials, but an eleventh hour pardon by John Adams spared Fries and his associates from the gallows. Davis, in traditional, post-Civil War Whig style, condemns the "rebels," praises the Union, and employs the stereotype of the ignorant "dumb Dutchmen." While he certainly welcomes the restoration of law and order, Davis, however, does criticize the Adams administration for overkill when it sent an army into the region in April 1799, and pressed for executions since the event was, in his estimation, simply the product of German ignorance. In fact, the center of this story and the center of the resistance was not Bucks but Northampton County, where the people erected liberty poles, formed extralegal "Associations," and prevented assessment of their property by the militia, using lessons they had learned in the Revolution, in addition to their ethnic, cultural, and religious definitions of property, liberty, and citizenship. The more recent scholarship that has appeared in the last two decades by Kenneth Keller, Terry Bouton, Robert

Churchill, Simon Newman, and myself has established the true complexity and savvy of the "rebels" who dared to assert for themselves the principle of popular sovereignty.

Taken together, these two books span a century of scholarship on agrarian unrest and reflect the times in which they were written. Davis wrote in an age when the industrial factories and mills of congested urban America were absorbing the fields and farms of the rural backcountry. His eighteenth century subjects were "dumb Dutchmen" who could not understand the political changes around them. McConville writes in a time when info-tech suburbs have replaced manufacturing cities, and when individuals physically isolate themselves from their communities by dialing in from home but at the same time make connections with the rest of the world. His eighteenth century subjects are diverse and astute, and simultaneously display intense individualism and communitarian concerns. For Davis the questions and the answers about the thoughts and actions of common people in Early America are simple, for McConville they are complex. Yet both understand that the key to understanding much of early America resides where the overwhelming majority of early Americans did, in rural and agrarian places.

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