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PART 4

Expanding the Realm of Communications

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“Among the improvements in the United States, there is, perhaps, no one that has advanced more rapidly, or proved more extensively useful, than that of the transportation of the mail.” So wrote an anonymous contributor to the *Port Folio*, a Philadelphia-based literary magazine, in 1810. “In point of public utility, [the postal system] holds a rank but little inferior to printing. Copies may be multiplied at the press, but, without this establishment, how limited must be their distribution!”⁶⁹

In the early republic, the United States experienced a communications revolution with enduring consequences for American life. At its core was the rapid and unprecedented expansion of the main pillars of long-distance communications: the postal system, the stagecoach industry, and the periodical press. Together these institutions created the infrastructure for a distinctive informational environment that would hasten the emergence of a national market, mass political parties, and nationally oriented voluntary associations. This communications revolution was set in motion by innovative legislation guided by the

novel philosophy that government had an obligation to provide the citizenry with access to information about public affairs. Its cornerstone was the Post Office Act of 1792, a landmark in American communications policy and one of the most far-reaching pieces of legislation enacted in the half century between the adoption of the Constitution in 1788 and the Panic of 1837.

Before the establishment of the new federal government, the United States was an informational ancien regime, with limited facilities for long-distance communication. As late as 1788, the Post Office Department boasted a mere sixty-nine offices, only two more than had been maintained by the royal postal system in 1765. Most were located in a single seaboard chain on what is today the "Old Post Road," just as they had been prior to the break with the crown. The vast majority of postal patrons were merchants engaged in overseas trade. Newspapers and magazines circulated in limited numbers, and few traveled through the mail. No periodical received a favorable postal rate. Though postal administrators sometimes permitted printers to trade copies of their newspapers, the practice was merely customary and lacked the force of law. The Post Office Department, as one official explained in 1788, had been established by Congress "for the purpose of facilitating commercial correspondence," and, as such, had "properly speaking, no connection with the press."⁹⁹

In the great constitutional debates of 1787-88, few contemporaries regarded the existing state of communications as a major problem. Under the Articles of Confederation, ordinary Americans living far from Philadelphia were accustomed to learning only sporadically about the activities of their delegates to Congress. What information did arrive often came courtesy of individual delegates, who had the right to transmit or "frank" through the mail an unlimited number of items free of charge. James Madison took this state of affairs for granted in his *Federalist* essays. According to Madison, the citizenry would receive the bulk of its information about public affairs from representatives returning to their home districts to meet constituents face to face. In *Federalist* 10, Madison went so far as to hail poor long-distance communications as a safeguard for minority rights. Thanks to the enormous geographic extent of the country, he conjectured, political factions—whether special interests or popular majorities—would be incapable of organizing across state boundaries and imposing their will on the country.

The only prominent public figure in the 1780s to propose a significant augmentation in the facilities for long-distance communications was the Pennsylvania physician Benjamin Rush. Rejecting outright the fiscal mandate for postal policy that had long prevailed in Great Britain and its colonies, Rush substi-

tuted an educational rationale better suited to the needs of a republic. To adapt the "principles, morals, and manners of our citizens to our republican form of government," Rush proclaimed in a widely circulated essay published shortly before the Constitutional Convention, it was "absolutely necessary" that the government circulate "knowledge of every kind" throughout every part of the United States. To this end, Rush looked to the postal system, the "true non-electric wire of government" and the "only means" of "conveying light and heat to every individual in the federal commonwealth."⁷⁰

With the passage of the Post Office Act of 1792, Rush's vision became the law of the land. At a stroke, Congress liberated American communications policy from the constraints of monarchical precedent and gave it an expansive new republican cast. To expand access to information on public affairs, Congress admitted every newspaper into the mail at extremely low rates. To ensure that the news was broadcast far and wide, it established an administrative mechanism that guaranteed the rapid extension of the postal network into the hinterland. And to safeguard the sanctity of personal correspondence, it proscribed its surveillance by postal administrators, ending a practice that remained common in Great Britain and France.

The Post Office Act of 1792 reflected a widespread commitment to the ideal of an informed citizenry. Yet questions remained about how Congress ought best to proceed. Everyone agreed that political information was best conveyed by newspapers. But which ones? Some wished to admit only *certain* newspapers into the mail, raising the fear that favored printers would become the nucleus of a potentially tyrannical "court press." Others urged the circulation of every newspaper free of charge. After an extended debate, Congress adopted a middle position: it admitted *every* newspaper into the mail, provided their subscribers paid a modest fee. In addition, Congress codified the exchange privilege that newspaper printers enjoyed. In so doing, it gave legal standing to a news-gathering mechanism that dated back to the colonial era and that would remain a mainstay of press practice throughout the early republic. Two years later, Congress expanded the subsidy for the press by admitting magazines into the mail at highly favorable rates.

No issue proved more contentious than the designation of new postal routes. Before 1792, this power remained vested in the executive branch, as it had been under the crown. While postal administrators lobbied to retain this privilege, expansion-minded legislators urged its transfer to Congress. This seemingly arcane issue had considerable practical import, because it was well understood that congressional control would greatly hasten the expansion of the network. Congressmen, after all, had powerful incentives to support legislation that benefited their constituents, and few measures were more popular than the establish-

ment of new postal routes. Proponents of congressional control prevailed, and, as expected, Congress quickly established routes well in advance of commercial demand. Many of these new routes, one congressman estimated in 1797, would not bear "one-hundredth" of their expense.⁷¹

No single piece of legislation did more to expand the geographic horizons of American public life. By 1795 even fiscal conservatives like Alexander Hamilton rejected the idea of using the postal system to generate revenue to pay down the national debt. Postal administrators would continue for several decades to return a modest surplus to the treasury. Yet at no subsequent point did policy debates revolve around the competing claims of revenue and service. Instead, Congress focused on *how* postal revenue ought best be spent.

Postal subsidies for newspapers gave printers ample reason to increase their supply. By 1794, a mere two years after Congress had first admitted newspapers into the mail, they made up 70 percent of its weight, while generating a mere 3 percent of the revenue. By 1832 they accounted for 95 percent of the weight and only 15 percent of the revenue. Without this substantial subsidy, the United States could not have emerged as the leading publisher of newspapers in the world. Among its legacies was the rise of the "country press," which had been virtually nonexistent before 1792. Thanks to the expansion of the postal network, newspapers proliferated not only in major commercial centers, as they had in the colonial era, but throughout the hinterland. French political theorist Alexis de Tocqueville credited political decentralization with hastening the expansion of the press. Had Tocqueville carefully scrutinized the newspapers the press churned out, he would have discovered that most of them were filled with reports of distant events rather than with accounts of local politics. Postal policy helped a far-flung citizenry remain connected with the wider world.

Magazines enjoyed an analogous subsidy and received a parallel boost. By the 1830s, postal patrons had access to a wide range of reading matter, from learned essays in the *North American Review* to poetry and prose in *Godey's Ladies Book*. Writers of imaginative fiction such as Edgar Allan Poe, Catherine Sedgwick, and Nathaniel Hawthorne took advantage of this new publishing venue to help popularize the short story as a literary genre. Though ambitious authors preferred to publish books, British imports presented them with stiff competition, because many Americans preferred popular writers from abroad to their own countrymen. A further constraint was posed by postal policy: before 1851, Congress banned books outright from the mail. Starting in the late 1830s, a number of entrepreneurs brazenly circumvented this rule by issuing entire novels in newspaper format and flooding the mails with the latest works of fiction by popular British and American novelists. Staggering under the weight and cost of distributing such mammoth periodicals as *Brother Jonathan*, fed-

eral administrators clarified the definition of a newspaper. Only those publications that included "intelligence of passing events," declared Attorney General Hugh S. Legaré in 1842, were entitled to preferential postal rates. Excluded from this category were "mere dissertations and discussions, or literary and poetical miscellanies." In Legaré's judgment, such publications did not deserve the special privileges the government accorded the news.⁷²

Various public subsidies encouraged the proliferation of congressional speeches and government reports. The results were predictable: in any given year, public documents constituted approximately one-quarter of *all* the imprints published in the United States. During presidential campaigns, electioneering tracts made up a substantial fraction of the total weight of the mail. Most of this material went under the congressional frank, the "galvanic current," observed one candid House member, that "animates the organization of both political parties." Almost every member of Congress, in the Senate as well as the House, "feels that his re-election is more or less dependent" on an active exercise of it.⁷³

The only form of literary production that postal policy discouraged was letter writing. The primary constraint was cost. To help pay for the various subsidies without running the postal system into debt, Congress kept the basic letter rate high. In an age in which many laborers made at most \$1.00 a day and journey-men printers \$1.50, postage on a single letter, customarily paid by the recipient, could easily total \$.50. Before the Panic of 1837, this policy sparked little public discussion, in large measure because the vast majority of letterwriters were merchants, presumed capable of covering the cost. Their commercial correspondence helped to pay for the circulation of public information. As late as 1833, congressmen defended the high letter rate on the grounds that it underwrote the various other services the Post Office Department provided.⁷⁴ By transferring resources from the few to the many, the high letter rate operated as a hidden tax on merchants and other heavy users of the network.

Personal correspondence was by no means unknown. Migrants to the trans-Appalachian West routinely kept in touch by letters with family members back east. According to one country curate in 1820, "A few days carries a communication with mathematical certainty from one point of the Union to the other. Distance is thus reduced to contiguity; and the ink is scarcely dry, or the wax cold on the paper, before we find in our hands, even at a distance of hundreds of miles, a transcript of our dearest friend's mind."⁷⁵ Many of these correspondents were women—as many as a fifth of all recipients of unclaimed letters in lists run routinely in the newspapers. Still, before the Post Office Act of 1845, postage remained, for all but the well-to-do, a significant barrier to long-distance communication. The vast majority of Americans were more likely to re-

ceive a newspaper than a letter, and often they evaded postal fees by inscribing personal notes on newspapers sent to friends and relatives through the mail. In 1840 merchants remained the country's most prolific letter writers, just as they had been before 1775.

Other frequent letter writers included congressmen and other federal public officers, including postmasters, who took advantage of the franking privilege to send and receive a large volume of mail free of charge. The surviving caches of the letters of federal public officers furnish a major source for the justly celebrated documentary editing projects of Thomas Jefferson, John Adams, and the other founders of the republic and help explain why national politics in the early republic continues to command such sustained scholarly attention, even though it has long been recognized that many key public policy decisions took place in the states and localities. With a few minor exceptions, no public officer at the state and local levels had the frank; in large part for this reason, they rarely left behind such a revealing paper trail.

Just as postal policy favored certain literary forms and not others, so too it hastened the creation of a distinctive kind of informational environment. In 1800 the network included 903 offices; by 1810, it expanded to 2,300, and by 1820, to 4,500. In 1828, the United States had 74 post offices for every 100,000 inhabitants—far more than the 17 in Great Britain and the 4 in France. The rapid increase in the size of the postal network awed contemporaries. Were we not to have the facts before us, remarked one newspaper editor in 1826, its astonishing progress would seem only a “romantic tale” with “no foundation but in the regions of fancy, in the wanderings of imagination.”⁷⁶

Another beneficiary of postal policy was the stagecoach industry. Throughout the early republic, stagecoach proprietors received as much as one-third of their revenue from mail contracts; making them, along with newspaper editors, one of the largest recipients of federal largesse in the country. Postal policy helps explain why so many stagecoach travelers complained about the bumpiness of their ride: by subsidizing stagecoach travel, but not road building, the federal government established a rudimentary public transportation network without providing for the maintenance of the right of way.

Postal administrators took advantage of their financial leverage to set stagecoach timetables and to fine contractors if they ran late. Their administrative efforts help to explain why, throughout the early republic, the mail stage was ordinarily the fastest and most reliable means of transportation. Indeed, to an extent that might seem incredible today, it was widely hailed as the sine qua non of speed. In 1831 a spokesman for the Charleston and Hamburg Railroad sought to reassure potential riders about the reliability of the new mode of

transportation. Its schedule, he confidently forecast, would be as "certain and prompt as the mail arrangements."⁷⁷

Few features of the informational environment were more innovative than the ban on official surveillance.⁷⁸ At no point in the early republic did the executive branch establish a department to inspect personal correspondence that was in any way comparable to the British secrets office or the French cabinet noir. (The one exception was undeliverable mail, which could be opened by a special corps of postal administrators known as "dead letter" clerks.) Only in the United States, as one nineteenth-century postal administrator exulted, was "silence" as "great a privilege as speech."⁷⁹

The prohibition on official surveillance posed problems for public authorities intent on blocking the transmission of information offensive to important constituents or critical of the party in power. In 1798, had Congress been able to rely on government functionaries to police the mailbags—a common practice in Europe—it might have successfully resisted pressure to enact a Sedition Act to check the spread of malicious ideas. Critics of that law, such as Thomas Jefferson, preferred to leave the regulation of printed matter to the states. Decentralization, however, was no necessary guarantee of a free press. In 1835 the New York City-based American Anti-Slavery Society launched a massive campaign to convert slaveholders to the cause of immediate emancipation, shipping hundreds of thousands of abolitionist pamphlets, all unsolicited, to post offices throughout the South. To stop their circulation, Jefferson's ideological heirs turned to state law to institute the largest peacetime blockade of information in American history.

The southern strategy received a major boost from Postmaster General Amos Kendall, a Yankee transplant to Kentucky and unapologetic slaveholder, who advised local postmasters to contravene federal law and block the delivery of the incendiary mail. In justification of his position, Kendall endorsed the novel claim of proslavery radicals that the South had supported the Constitution in order to gain "more perfect control" over slaves.⁸⁰ Historians have been slow to recognize the extent to which the resulting *cordon sanitaire* intensified the growing rift between the slaveholding and non-slaveholding states. Yet its consequences were profound. In the South, antiabolitionist legislation quickly became a cornerstone of the states' rights creed; in the North, it crystallized the suspicion that the federal government had been captured by a reactionary "Slave Power."

Nowhere were the implications of the communications revolution more fundamental than in the conduct of American trade. Long before the railroad created a national market for goods, the federal government established a national

market for information. To move crops to market, merchants relied on the Post Office Department to transmit orders and even banknotes. "No inconsiderable amount of the active capital of the country, in one form or another," was sent in the mail every year, estimated Postmaster General John McLean in 1828.⁸¹ The high-speed transmission of market information was such a priority that Congress refused to suspend the transportation of the mail on the Sabbath or to allow the closing of post offices on that day—an infringement of local autonomy that troubled many devout citizens and that prompted the first large-scale petition campaign in U.S. history. By the early 1850s, some \$100 million was being transmitted annually in this way; the figure may even have been larger before the rise of the express industry in the late 1830s.⁸² Not surprisingly, theft was a major concern, and mail robberies received detailed coverage in the press. "Security in the transmission of banknotes and valuable papers through the mail," as McLean observed, was of "great importance to the community at large, and particularly to the commercial part of it."⁸³ On the relatively rare occasions when mail was lost or stolen, postal patrons had no legal remedy: the federal government offered no insurance against theft and no compensation for items lost or stolen in the mail.

Equally far-reaching were the consequences of the communications revolution for public life. After 1792, the public sphere was no longer patrimonial in the sense of being more or less congruent with the relatively small numbers of people who lived in close physical proximity to the seats of power. Instead, it now became disembodied, stretching far beyond specific localities to enlist the minds and hearts of millions of people, few of whom would ever meet in person. Political strategists relied on the improved facilities for long-distance communications to build mass parties; evangelicals established voluntary associations on a nationwide scale. When Madison published his *Federalist* essays in 1788, public opinion had yet to emerge as a major category of political thought. By the time Alexis de Tocqueville visited the United States in 1831, it had become a keystone of the new "science of politics" for a democratic age. "There is no French province," Tocqueville observed, in which "the inhabitants knew each other as well as do the thirteen million men spread over the extent of the United States."⁸⁴

Tocqueville was but one of many foreign observers to be impressed by the consequences of the new informational environment for public life. When the mail arrived, one English traveler recounted, the inhabitants hurried to the post office, where they "formed a variety of groups round those who were fortunate enough to possess themselves of a paper." This was true, the visitor added, not just in the cities, but throughout the countryside.⁸⁵ The arrival of the mail was dramatized by the painter John Lewis Krimmel in his *Village Tavern*, set dur-

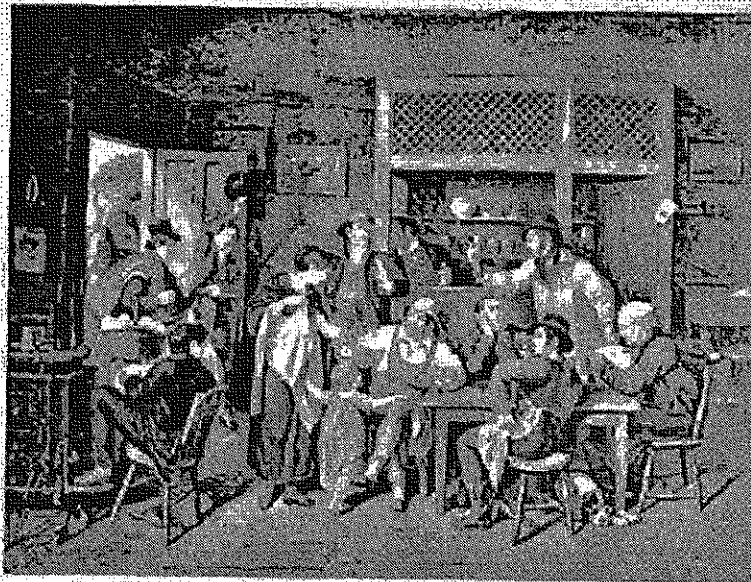


FIGURE 3.5. The artist John Lewis Krimmel depicts a rural tavern, a center of sociability and public information. A woman and child are accosting their absent husband and father just as the mail carrier enters the doorway. Both arrivals—with their news of war and the possibility of peace—focus the tension of the domestic and public spheres. John Lewis Krimmel (American, 1786–1821), *Village Tavern*, 1813–14, oil on canvas, 16½ by 22½ in. Toledo Museum of Art, purchased with funds from the Florence Scott Libbey bequest in memory of her father Maurice A. Scott, 1954.13.

ing the War of 1812 (fig. 3.5); Richard Caton Woodville's *War News from Mexico* (1848) depicted a similar scene during the Mexican War. Both artists chose the post office as the backdrop for their tableaux, a tribute to the centrality of the mail as a source of information about public affairs.⁸⁶

The expanding realm of communications helped to impress upon ordinary Americans two related presumptions: first, that the federal government had the capacity to shape the pattern of everyday life; and, second, that the boundaries of the national community more or less coincided with the territorial limits of the United States. The principal beneficiaries of this new informational environment were the white men who dominated the electorate. The disadvantaged included women and free blacks, who risked harassment every time they ventured into the post office to pick up mail, and slaves, nearly all of whom were barred either by law or by convention from learning to read. Still, by empowering ordi-

nary white men to join together in countless post offices to discuss public affairs, the federal government helped create the national community that a generation of men would fight and die for in the Civil War. White women, too, obtained advantages from the post office, notwithstanding the obstacle course they ran; periodicals sent through the mail addressed female concerns, sustained women writers and editors, and built networks that female reform groups mobilized to influence male lawmakers and public opinion. Letter writing remained expensive in the United States until the passage of the Post Office Acts of 1845 and 1851.⁸⁷ Here, as in other ways, postal policy in the United States lagged behind postal policy in Great Britain. Yet in one respect the United States led the world — and that was in the establishment of facilities to circulate information on public affairs. Long before the advent of the steam railroad and the electric telegraph, the postal system, the stagecoach industry, and the periodical press had laid the groundwork for the eventual emergence of the United States in the twentieth century as one of the most powerful media empires in the modern world.

study of the ideological aims and publishing history of Bell's series, see Thomas F. Bonnell, "John Bell's *Poets of Great Britain*: The 'Little Trifling Edition' Revisited," *Modern Philology* 85 (1987): 128-52.

51. Gilreath, introduction to Gilreath, *Federal Copyright Records, 1790-1800*, xv.

52. James N. Green and Peter Stallybrass, *Benjamin Franklin: Writer and Printer* (Philadelphia: Library Company of Philadelphia, 2006), 64-70.

53. For a detailed account of each of the state statutes, see Bruce W. Bugbee, *Genesis of American Patent and Copyright Law* (Washington, D.C.: Public Affairs Press, 1967), 104-24.

54. L. Ray Patterson, *Copyright in Historical Perspective* (Nashville: Vanderbilt University Press, 1968), 180-83.

55. *Ibid.*, 199.

56. A record of petitions to Congress concerning copyright law can be found in *Copyright in Congress, 1789-1904* ed. Thorvald Solberg (Washington D.C.: Government Printing Office, 1905). Webster's account of his role in the passage of the 1831 legislation can be found in his "Origin of the Copy-Right Laws in the United States," in *A Collection of Papers on Political, Literary and Moral Subjects* (New York, 1843) 173-78.

57. Solberg, *Copyright in Congress*, 136.

58. The bill to amend the copyright law withstood an attempt to return the initial term of copyright to fourteen years. See *ibid.*, 144.

59. *Derisions of the United States Courts Involving Copyright and Literary Property*, Bulletin No. 13 (Washington D.C.: Copyright Office, 1980), 645.

60. For a detailed history of Wheaton's career as a court reporter and a social history of *Wheaton v. Peters*, see C. Edward White, *The Marshall Court and Cultural Change, 1815-1835* (New York: Macmillan, 1988), 384-426.

61. For an account of the way in which the Charles River Bridge case pitted individual and commercial interests against the interests of the public, see Stanley I. Kutler, *Privilege and Creative Destruction: The Charles River Bridge Case* (Baltimore: Johns Hopkins University Press, 1990).

62. *Report of the Copy-Right Case of "Wheaton v. Peters"* (New York: James van Norden, 1834), 19. This was a privately printed account of the decision and arguments of counsel. For a more thorough reading of this case, see my *American Literature and the Culture of Reprinting, 1834-53* (Philadelphia: University of Pennsylvania Press, 2003), 49-70.

63. *Report of the Copy-Right Case of "Wheaton v. Peters"*, 100.

64. *Ibid.*, 108.

65. *Ibid.*, 99.

66. *Ibid.*, 106.

67. John Ruggles, "Report, from the Committee on Patents and the Patent Office," 25 June 1838, 25th Cong., 2d sess., 1838, S. Doc. 494.

68. "The Post-Office Establishment," *Port Folio* 3 (March 1810): 237.

69. Ebenezer Hazard, "General Post-Office," 19 March 1788, in *Documentary History of the Ratification of the Constitution*, ed. Merrill Jensen, John P. Kaminski, and Gaspare J. Saladino, 20 vols. (Madison: State Historical Society of Wisconsin, 1976-), 16:567.

70. Benjamin Rush, "Address to the People of the United States," *American Museum* 1 (January 1787): 8.

71. *Annals of Congress*, 4th Cong., 2nd sess., 1 February 1797, 2057-58.
72. *Laws and Regulations for the Government of the Post Office Department* (Washington, D.C.: Alexander and Barnard, 1843), 21.
73. Francis O. J. Smith, "The Post-Office Department, Considered with Reference to its Conditions, Policy, Prospects, and Remedies." *Hunt's Merchants Magazine* 11 (December 1844): 530-31.
74. *Register of Debates*, 22nd Cong., 2nd sess., 2 January 1833, 930.
75. *Plough Boy* 2 (30 December 1820): 243.
76. *National Intelligencer*, 22 November 1826.
77. Alexander Black, *Report, Exhibiting the Present State of the Work and Probable Progress of Operations of the Charleston and Hamburg Rail Road* (Charleston: William S. Blain, 1831), 13.
78. Anuj C. Desai, "The Transformation of Statutes into Constitutional Law: How Early Post Office Policy Shaped Modern First Amendment Doctrine," *Hastings Law Journal* 58 (March 2007): 671-727.
79. James Holbrook, *Ten Years among the Mail Bags; or, Notes from the Diary of a Special Agent of the Post Office Department* (1855; Philadelphia: Cowperthwait & Co., 1874), 6.
80. Amos Kendall, *Report of the Postmaster General*, 24th Cong., 1st sess., 1835, S. Doc. 1 (serial 279), 398-99.
81. John McLean to John Quincy Adams, 17 November 1828, in *American State Papers: Post Office* (Washington, D.C.: Gales and Seaton, 1834), 183.
82. Pliny Miles, "Post-Office Improvements," *New-York Quarterly* 4 (April 1855): 24.
83. John McLean to John Quincy Adams, 9 March 1825, Postmaster General's letterbook, RG 28, National Archives, Washington, D.C.
84. Alexis de Tocqueville, *Democracy in America*, ed. J. P. Mayer, trans. George Lawrence (1835; 1840; Garden City, N.Y.: Doubleday, 1969), 385.
85. John Lambert, *Travels through Canada and the United States of North America, in the Years 1806, 1807, & 1808*, 2nd ed., 3 vols. (London: C. Cradock and W. Joy, 1814), 2:498.
86. Richard R. John and Thomas C. Leonard, "The Illusion of the Ordinary: John Lewis Kimmel's *Village Tavern* and the Democratization of Public Life in the Early Republic," *Pennsylvania History* 65 (Winter 1998): 87-96. For a more detailed discussion of the communications revolution, see John, *Spreading the News*, and for a history of the concept, see Richard R. John, "American Historians and the Concept of the Communications Revolution," in *Information Acumen: The Understanding and Use of Knowledge in Modern Business*, ed. Lisa Bud-Frierman (London: Routledge, 1994), 98-110.
87. David M. Henkin. *The Postal Age: The Emergence of Modern Communications in Nineteenth-Century America* (Chicago: University of Chicago Press, 2007).

CHAPTER 4.

Benevolent Books: Printing, Religion, and Reform

1. [Noah Worcester], *A Solemn Review of the Custom of War; Showing that War Is the Effect of Popular Delusion, and Proposing a Remedy* (Cambridge, Mass.: Hilliard and Metcalf, 1815), 4, 23-24, 29-30.

