Joseph Ellicott and the Holland Land Company

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X. "Give in Your Demission Yourself"

Between 1800 and 1820, the United States was taking shape. Physically, the area of the country had more than doubled. The fortuitous purchase of Louisiana had pushed the frontier westward to the Rockies, and the nibbling conquest of the Floridas had rounded out the territorial limits of the Southeast. Almost in step with the territorial expansion was the population boost from 5.3 million in 1800 to 9.6 million twenty years later. Within these two decades, seven new states had entered the union. From the Northwest Territory had been carved Ohio (1803), Indiana (1816), and Illinois (1819). Formed from the nucleus of French settlements was Louisiana (1812). In the deep South between Louisiana and Georgia were created the states of Mississippi (1817) and Alabama (1819). And whittled from Massachusetts was Maine (1820).

The nation was also taking institutional shape. Politically, the Jeffersonians had demonstrated the feasibility of a two-party system. They had taken over the reins of government pacifically and proved erroneous the Federalist prognosis of revolution, dissolution, and anarchy.

The evolving economic structure was a compromise: part Hamiltonian and part Jeffersonian. Portions of Hamilton's dream were coming to reality. Trade was growing, cities were rising, and manufacturing was increasing. Except for the embargo restrictions on trade, commerce had flourished. The War of 1812 had persuaded a Jeffersonian-dominated Congress to adopt much of Hamilton's program. An internal tax law was passed, and the national debt in 1815 surpassed by far that which the Republicans had inherited in 1801. Shortly after the war ended, a pattern of tariff increases to protect manufacturing was begun, and a charter was granted for a second Bank of the United States.

As Hamilton's business community was evolving, Jefferson's agriculturally based society was expanding. During the first two decades of the nineteenth century, the number of farmers and the acres under cultivation increased sharply. Agriculture was the economic backbone of the nation. In the South, the cotton culture was riveting itself both
on the whites and the Negroes. After the 1790's, cotton production exceeded tobacco and became the agricultural staple of the country. At the same time, an important process of settlement was taking deep root west of the Appalachians. Leading the procession were Indian traders, hunters, and trappers. Close behind them were the pioneers who created the conditions of settlements. The pioneers cleared the ground, planted crops, and while waiting for the harvest shot wild birds and animals for food. They were generally squatters with little or no money and after a few years moved farther west. Then came the steady farmers. These men had a clear title to the land, systematically cleared out the trees and boulders, and settled permanently on their piece of property.

In 1800, the area between the Genesee and Lake Erie could well be considered a part of the west. When the Senecas had relinquished ownership of most of western New York at the Treaty of Big Tree in 1797, the land was a wilderness. But already the procession was started of Indian traders, hunters, pioneers, and settlers. This cycle of settlement was as characteristic of western New York as elsewhere on the trans-Appalachians.

The Indian traders were a diverse lot. Captain William Johnston, for example, had originally been with the British Indian Department and then had settled near the mouth of Buffalo Creek, where he was a trader and an interpreter. This was the same Johnston who had married a Seneca woman, had obtained two square miles of land at Buffalo Creek, and then in 1799 had swapped it to the Holland Land Company for land in another section of Buffalo. Silas Hopkins, another Indian trader, had bought furs at Lewiston as early as 1788. At Buffalo Creek, Cornelius Winne had erected one of the earliest buildings where he traded with the Senecas. Winne, according to a contemporary Deacon Hinds Chamberlin, ran a lively business: "He had rum, whiskey, Indian knives, trinkets, &c. His house was full of Indians; they looked at us with a good deal of curiosity. We had but a poor night's rest; the Indians were in and out all night, getting liquor." ¹

The fur traders were easier to isolate and identify than the hunters, pioneers, and settlers. Until the first crop was harvested, many of the pioneers and settlers had hunted wildlife for their very survival. Furthermore, a number of pioneers moved to Ohio and then returned to western New York.

By 1820, the wilderness that was western New York was giving way to settled areas. Ontario, the only county in 1800, had been subdivided into six counties by 1820, and each one had new county seats,
towns, and villages. Rochester, Batavia, and Buffalo were budding cities. The scars caused by the War of 1812 were healing. While the economy remained predominantly rural, shipping continued on the Great Lakes, communities traded with each other, and Buffalo had an independent though floundering bank. Roads were being constructed, and the canal was beginning to snake its way into western New York.

During these two decades, the population of western New York had risen from less than 15,000 to over 100,000. Yankees from New England alone accounted for much of this increase. Timothy Dwight, the peripatetic president of Yale who traveled through New York in 1810, estimated that three-fifths to two-thirds of the population came from New England. Ten years later, the proud Dwight wrote modestly that the state of New York was becoming "a colony of New-England." 2

Dwight's claims notwithstanding, the Yankees from Connecticut and Vermont made a lasting impression on New York. They brought with them their town-meeting type of decision making, generally siding with the democratic forces as opposed to the landed aristocracy. Not long after clearing their lands, they erected the typical white, bare, and square churches topped by steeples reaching toward the heavens. Accustomed to tax-supported schools open to all children and disillusioned with the more backward system of New York's education, they started private academies. At first, the Yankees irritated, annoyed, and angered the Yorkers. Gradually, the New Englanders were accepted and became leaders in politics, economics, and social life.

Just as the Yorkers had been forced to adjust to the Yankees, so Joseph Ellicott could not remain immune to the inevitable changes sweeping western New York. When he broke with DeWitt Clinton in 1819 over the operations of the Bank of Niagara, Ellicott had taken the first step that was to lead to the ultimate crumbling of his great power in western New York. The fall of Ellicott was not the result of any single historical event but stemmed from several causes. Agent-General Busti, whose approval Ellicott needed to keep his position, had become deeply disturbed over three major controversies that came to a boiling point almost simultaneously after the war.

The first dispute revolved about the personality clash between the increasingly melancholic Ellicott and the more stable Busti. For many years, Ellicott's mercurial temperament and abrasive disposition had been noticed. John Brannan, who applied for a job at the Batavia office in 1823, recalled the situation almost two decades earlier. Starting in 1804, Brannan had worked as Ellicott's bookkeeper for three years. The Resident-Agent already showed "a very unhappy temper"
and was even then “occasionally extremely abusive and insulting to every person about him.” 3 Brannan’s observations were corroborated by Busti’s close associate and Company agent, H. J. Huidekoper. In 1809, Huidekoper had visited Lancaster, New York, and learned that Ellicott was “very unpopular” and “the unfittest man to intrigue” in that village. 4

Since 1817, Ellicott had become more and more despondent, and as these periods of moodiness lengthened, his uncivil treatment of Company customers intensified. Before, he had always spoken his mind directly; however, in the period following the war he frequently treated visitors in a rude and blunt manner. Philip Church, who owned a large tract in Alleghany County, confided to Busti that Ellicott was “wholly wanting” in either “civility” or “politeness.” 5 Although ill health may well have been responsible for reducing his fitness to deal with people, his disagreeable conduct was bound to add to the dissatisfaction that Paul Busti already felt for him.

Joseph Ellicott’s unstable personality fanned still higher the flame of discontent that now raged in western New York. In the early years of his agency, he had managed to keep calm publicly in the face of the charges leveled against him. Fifty-five years old in 1815, he had held the demanding post of Resident-Agent for fifteen trying years. As Ellicott aged, however, he lost some of his ability to slough off adverse criticism. When the Buffalo Gazette of September 12, 1815, carried a story signed by “Cattaragus” which blamed the Holland Company and its agents for the poor conditions of the roads and bridges, Ellicott showed his petulance by promptly canceling his subscription to that newspaper.

Until 1815, Busti had minimized Ellicott’s peculiarities because the settlers on the purchase had endorsed his Resident-Agent’s excellent leadership. The settlers, on their part, supported Ellicott because his objectives, until the end of the war, had generally been beneficial to them. After the war, however, when Ellicott’s handling of the Company’s policies brought him into conflict with the residents of western New York, Busti became more critical of Ellicott’s personal weaknesses.

The War of 1812 had engendered in western New York, as it had in other parts of the country, nationalistic sentiments. Nationalism was a mythical feeling that bound together people who had certain characteristics in common. As a nation, for example, Americans lived within geographical limits that separated them from other countries. They approved a political organization with an elected head, rather than a hereditary monarch. They had fought in wars together and in-
terpreted the American Revolution and the War of 1812 as single-handed victories by the innocent over the aggressor. They spoke a common language, English, using idiomatic and colloquial variations. They worshipped one God, and the great bulk of Americans were Protestants. They depended on each other in earning a living, for most of the trade was internal. More items can be added to this list of national characteristics. The point is that Americans felt united by certain nationalistic ties that set them apart from other nations.

Over the years, this mystical feeling of togetherness had been cemented. The words *liberty* and *freedom* took on a connotation that Americans regarded as uniquely their own. Slogans became shibboleths. Phrases like “Give me liberty or give me death,” “All men are created equal,” “We have met the enemy and they are ours,” or “Our country, right or wrong” were uttered as reverential blessings. The flag known as the Stars and Stripes emerged as a venerated symbol to be saluted, protected, and if need be died for. The federal constitution came to be regarded as a work that was divinely inspired and ordained. Men like Washington, Franklin, and Jackson were eulogized and elevated to semi-Godlike posture. To bring about an American nationalism, a sharp contrast with Europe was created. But a distorted picture was emerging of the ancient, grasping, aggressive, reactionary European nations opposing the young, generous, pacific, democratic United States. United States residents who did not conform to this view of American nationalism were denounced as un-American, as aliens with almost treasonable motives.

The War of 1812 had stirred the residents of western New York to scorn all aliens in general, and the Holland Land Company in particular. The settlers had relegated Ellicott, who represented the Company in western New York, to the ranks of the foreigners. Moreover, in accentuating American nationalism, the war had reduced the social and personal pressures on the settlers to honor their debts to foreigners. Thus, many residents did not meet their obligations, offering explanations, instead, in the form of “patriotic grievances” against their creditors. While an increasing number of residents continued to voice complaints, it was not until 1819 that a series of four articles, signed by “Agricola,” appearing in the *Niagara Journal*, summarized succinctly what the settlers had been muttering incoherently. “Agricola” blamed the Holland Company for many injustices; it was foreign owned; it reserved choice land which it refused to sell; and it charged excessively high prices for the land that it did sell. The Company levied compound interest on debts, and it planned to keep the settlers in a state of per-
petual debt. Over a five-week period, the newspaper printed the case of the settlers, each article covering from two to more than three columns. With the publication of the "Agricola" series, a systematic all-out attack against the Company was launched criticizing both the Agent-General and his Resident-Agent. 6

To reduce Busti's great concern over these charges, Ellicott revealed to him the identity of "Agricola," and explained the cause of such blistering criticism. The pen name belonged to Albert H. Tracy, a lawyer in Buffalo who was a congressman and a leading Clintonian in western New York. Tracy's reasons for writing the articles, Ellicott stated, were primarily political, the actions of a congressman seeking additional support of the voters. After all, claimed Ellicott, "Agricola" was held high "in the confidence of the State Administration," and the "Agricola" series was probably part of a larger political plan against himself and his supporters. As additional evidence, the Resident-Agent linked Tracy with the struggle to undermine the Bank of Niagara. "He was," charged Ellicott, "the principal agent and director of the combination that ran down the Niagara Bank." 7

Ellicott regarded Albert Tracy as a mere pawn in the political game, and he placed the blame for the over-all attack squarely on DeWitt Clinton. He claimed that Clinton had learned that the Big Family had lost much of its affection for the Governor. To keep Ellicott in line, Clinton had used Tracy to pressure Ellicott into continuing his support of himself, or, failing in that, to discredit the Big Family entirely. Clinton, Ellicott explained, "may have received from his spies and informers [information] that the people in the Land office do not idolize him as formerly." The Resident-Agent continued his appraisal of Clinton, noting shrewdly: "as nothing but the greatest adulation will continue him friendly, and probably having taken the idea that we are not altogether gratified with all his measures I think it probably has through the agency of others set this young man [Tracy] to work to write down the agents of the Holland Company." At the same time, Ellicott confessed that "I was once myself a perfect adorer of Mr. D.W.C. . . . but my ardour for him has become considerably cooled." The rationale for this change, explained Ellicott, was that Clinton "most unquestionably contemplates to govern the State through the agency of the bankrupt Jacobin, and the lower order of the people." Ellicott insisted that his position was not sudden but that he had "for more than a year been a silent spectator of events." 8 Sharing Ellicott's interpretation, Archibald S. Clarke blamed Clinton, as well as the politically powerful Ambrose Spencer, for "Agricola's" attack against
the Company. "The fingers of Clinton & Spencer," accused Clarke, "are in all this business." 9

While Busti considered ways in which to cope with the attacks on the Company, Ellicott advised that nothing should be done until the attackers had wearied and lost their aggressiveness. "My impressions are," counseled Ellicott, "that the writer if no notice was taken of him, would grow tired of the subject, and for the want of fuel cease his malignant hostility." 10 The Resident-Agent applied his own advice when he instructed William Peacock not to retaliate but to "lay perfectly quiet" for he felt "the least said the better." 11 Contrary to Ellicott's expectations that the attacks would cease, the criticisms spread. The Chautauqua Gazette was soon publishing the "Agricola" series.

The nativistic complaints that Tracy used in his "Agricola" series accounted only in part for the genuine hostility that many western New Yorkers felt against the Company and Ellicott. After the war, the stream of immigrants to western New York had dried to a trickle and thus reduced business activity on the purchase. In addition, the settlers west of the Genesee began to feel the effects of the panic of 1819 earlier than the rest of the nation, for the war prosperity had soon given way to an acute currency shortage. The settlers therefore censured Joseph Ellicott for shipping precious money off the purchase and blamed the Dutch owners, as aliens, for pocketing the currency so badly needed. As the postwar spirit for widening individual landownership spread throughout the western frontier, the settlers also vehemently denounced the large land holdings of the Holland Company as anti-democratic. It was just a short step, then, for the residents west of the Genesee to broaden their opposition to the Company to include Joseph Ellicott himself. As agent, they pointed out, he had gained for himself considerable wealth from land sales and speculation. Unable to redress their grievances by their own efforts, the settlers on the purchase now turned to the state legislature and demanded protective legislation. Thus, instead of placating the residents by remaining silent, Ellicott now faced a large number of malcontented settlers who girded themselves for a more serious battle.

Paul Busti was greatly disturbed at Ellicott's increasing melancholy. However, the Agent-General was a man of honor and integrity, without a disposition to embarrass Ellicott, much less fault him for his own mental illness. Busti tried to accommodate himself to the first problem. But the Agent-General blamed the Resident-Agent for the second issue: Ellicott's failure to pacify the western New Yorkers. Many residents on the purchase were organizing, openly attacking the Company
and its two main agents, and carrying their grievances to the legislature. Whatever the justification, this movement could not be treated lightly.

Busti was seriously concerned, too, with a third controversial area—Ellicott's lobbying efforts at the state level. Ellicott's task here was twofold: to obstruct the passage of bills desired by the residents of the purchase that might reduce the Company profits; and to help to push through the legislature a bill that Busti desired—to sell the Company land to the State of New York. The Agent-General watched closely as his Resident-Agent and the settlers on the purchase shifted to the next scene of their combat at Albany.

In seeking a solution to their economic problems, the settlers west of the Genesee suggested to the state legislature that nonresidents, as well as residents, be taxed for construction projects. New York law compelled only the residents to pay the tax for the maintenance of roads and the construction of schools, and this disturbed the settlers because such legislation exempted the nonresident landowners whom the western New Yorkers felt were best able to pay. If the law could be changed, the residents felt that their financial condition would be greatly improved. Their taxes, for example, would decrease by transferring some of the burden to the shoulders of the Company, the largest absentee landowner. Furthermore, the money collected from the Holland Land Company would reduce the amount that Busti sent overseas, and the circulation of currency in western New York would also be increased. This might hasten the return of prosperity in the area west of the Genesee. Finally, such a change in the law would unify the residents on the purchase against the Company. This was the kind of legislation that Ellicott had to combat.

The Resident-Agent had a difficult problem to handle in the movement for tax reform. As early as 1815, petitions were circulated demanding that absentee-landowners be included in the "road-tax." Although the Batavia newspaper, the Republican Advocate, continued to defend Ellicott and the Holland Land Company, the Buffalo Gazette added its influence in support of these requests, and in 1816 a bill for such a measure appeared in the legislature. The proposed tax applied to all nonresident property owners in western New York who owned land where new roads would be built. Frightened by the implications of the proposed levy, Ellicott took action against the bill. For example, he urged Silas Hopkins, a supervisor of Niagara County, to protest formally: "I hope, Sir, you have or will be good enough to frame a remonstrance against those petitions, with such remarks and elucida-
tions as will be calculated to prevent the effects such petitions in all probability would produce if not any opposition was made to them." ¹² Hopkins did what Ellicott bid him. By using his influence with Hopkins and other influential citizens, Ellicott thus succeeded in defeating these early bills for tax reform.

However, the idea for a revised levy remained alive, and in 1817 some residents of Buffalo petitioned the legislature to permit its village to apply the road-tax to the nonresident landowners. Ellicott opposed the Buffalo bill and argued that the absentee landowners already paid far more than their share of the taxes. In support of this view, he cited the fact that empty lots owned by nonresidents were assessed "100 percent higher" than resident lots "with buildings erected." ¹³ Ellicott felt confident that the lawmakers would defeat the bill, for the legislature had granted similar powers in only one prior case. However, the ever-careful Ellicott took no chances and notified his influential friends that he was strongly opposed to the bill. As a result, the legislature refused to grant the village of Buffalo permission to use the road-tax against absentee lands.

Undaunted, the settlers in western New York continued to press for authority to tax nonresident landowners. In 1818, the assembly received a petition urging such legislation and routed it to the proper committee. Senator Jediah Prendergast, a friend of Ellicott and a representative of the western district, requested permission to come before this committee so that he could explain his reasons for opposing the bill. Ellicott furnished the Senator with additional arguments and data to be used at the committee hearings. In addition, Ellicott urged members of both houses to vote against the measure. In an effort to compromise, the lawmakers approved a road-tax on absentee landowners in western New York who owned land in sections where the new roads would run, but they limited such tax to one year.

Considering this measure as only a partial victory, the proponents of the road-tax redoubled their efforts to extend and broaden the law. Some of the residents of Cattaraugus County acted independently from the rest of western New York, and in 1819, they petitioned the legislature to permit a tax of five dollars for each square mile owned by nonresident landowners. This money would be applied to the construction of roads and the building of bridges. Had the legislature passed such a bill, the Company, which owned 1,400 square miles of land in that county, would have been forced to pay $7,000 a year in addition to its current taxes. However, through the efforts of Senator Evans, Ellicott's nephew, this bill died in committee. "Mr. Evans," Ellicott reported to
Busti, “prevailed upon the committee to whom the petition was referred to report against the prayers of the petitioners, and nothing further was done with the petition.” At the same time, Ellicott assured Busti that Evans always had the interest of the Company at heart. “You may rest satisfied,” he confided, “that as far as Mr. Evans will have influence to prevent any act or acts from being passed injurious to our Principals it will be exerted.” The Resident-Agent elaborated that “Mr. E. being one of the Majority on the political Side of the Senate, I do not apprehend the Company have much to fear that any act will be passed very injurious to our principals.”

Despite the setback dealt the residents of Cattaraugus County, the other settlers in western New York persisted in agitating for a permanent road-tax on absentee landowners. Starting in September, 1819, the *Niagara Journal* printed the “Agricola” series that attacked the Holland Company. Its author, Tracy, dwelt on what he regarded as the Company evils, but he offered no sweeping solutions. He simply suggested that the legislature permanently terminate the road-tax exemptions of nonresident landowners in western New York. With this in mind, Tracy called a meeting of the residents of Niagara County in October of the same year. To this gathering came several prominent politicians west of the Genesee: Oliver Forward, formerly a friend of Ellicott, who served as chairman; Augustus Porter; and Porter’s partner, Benjamin Barton. The members present voted unanimously to petition the legislature for a law that would permanently tax the nonresident landowners for the building and maintenance of roads, bridges, and schoolhouses.

The movement gathered momentum as the petitions that had been agreed upon at the October meeting were circulated on the purchase. The editor of the *Niagara Journal*, rabidly anti-Ellicott, trumpeted that the formal requests were getting much support in the five counties and praised the “unexampled degree of unanimity of opinion and concert of action among the people.” The newspaper openly attacked Joseph Ellicott and his family for the “strenuous opposition, personal invective and abuse levelled by them” against every one who favored such a tax. Refusing to believe that the Big Family could block the passage of such a bill, the *Niagara Journal* argued that the opposition of the Ellicott family to this measure was “grounded on merely the personal interest of Mr. Ellicott and supported solely by his family connections and dependents.” The petitions attracted signers, and, when 1,300 persons added their signatures, they were forwarded to Albany.

Early in 1820, the road-tax petition, now taking the form of a bill,
started through the legislature. First, the Speaker routed it to the proper committee for its scrutiny. As chairman of this committee, Oliver Forward wasted little time on committee hearings; instead, he presented it quickly to the assembly. Senator Evans, who hoped to obstruct the bill's progress in committee, was deeply disappointed and reported to his uncle: "Forward had made the report and presented the bill of his own mere motion without taking the opinion of any other member of the committee." When the bill reached the assembly floor, Forward presented a strong case for its support. As Ellicott feared, the Clintonian-controlled assembly easily passed the road-tax bill.

Ellicott now mustered all his influence to get the senate to defeat the hated measure. Ogden, the Company lobbyist, was alerted, and Senator Evans exerted still greater pressure on his fellow senators. Busti watched the procedure apprehensively but felt some assurance in knowing that Evans would "combat" the bill. Ellicott, however, refused to rely solely on these trusted aides. He allied himself with Robert Troup, the land agent for the nearby Pulteney Estate. In December, 1819, Ellicott and Troup had together employed Philip Church to lobby for a law that limited the taxing powers of the county board of supervisors. Church, whose mother was the daughter of the once politically powerful General Philip Schuyler, was now thrown into the battle to defeat the bill—and Ellicott did not haggle over the costs involved: "Any sum," agreed Ellicott, "which may be considered just and proper to allow Mr. Church for his services will be paid by my Principals with pleasure on the receipt of your Draft." The Resident-Agent had done all that he could and it was enough. In April, 1820, the bill for the road-tax died in the senate.

Evans had done yeoman's work "in laying the ground of the heavy opposition to the bill." Ogden had given considerable support to Evans, and Church had "increased the weight of the opposition to the bill." The cleavage in the Republican ranks had also benefited Ellicott. Back in 1817, the Republicans had split into two factions, the followers of Clinton and the supporters of Tammany. The anti-Clintonians were called Bucktails, a name given to Tammany Society because the members wore tails of deer at patriotic gatherings. Led by Martin Van Buren, the Bucktails used this opportunity to oppose the road-tax bill because the Clintonians favored it. After 1820, the legislature discussed similar highway bills nearly every year for almost ten years, but every time the large landowners wielded sufficient influence to prevent their passage.

While Ellicott bustied himself organizing the opposition to the road-
tax, Busti also urged him to promote the sale of Company land to the State of New York. This proposal was not a new one, for the Dutch owners had advanced it as early as 1798 when great spending and negligible returns seemed “ruinous.” The Company had offered to sell its 3.3 million acres for two dollars an acre and to take in return state bonds that paid 5½ percent annually and were “reimbursable in 20 years.” If the state wanted more time, an alternate plan would defer interest payments until January 1, 1804, but would increase interest charges to 6 percent and the price per acre to $2.50. Political leaders, who in 1791 had sold 4 million acres in northern New York for eight cents an acre, understandably had ignored the offer.

The Company directors had persisted and, in 1802, had renewed their proposition in modified form. The plan of 1802 had reduced the price of the land to $1.50 per acre on the condition that the Company would retain some four or five hundred thousand acres to be sold later when increased settlement would enhance land values. Loyal to his superiors, Paul Busti had taken his instructions seriously and had appointed Ellicott to handle this matter at Albany. Ellicott had not succeeded either, for the legislature had done nothing about this proposal during the spring session of 1803. “Continue your exertions,” Busti had instructed Ellicott, “in procuring influential advocates to our plan.” Although Ellicott had not been “very Sanguine” about the success of the project, he had complied with Busti’s orders. The politicians whom Ellicott had consulted, however, had refused to risk their positions for such a venture, and the project had been dropped for many years.

In 1819, Busti revived this idea of selling the Company land to the State of New York. The sharp criticism of the Company and its representatives had upset him, and the vigorous efforts to impose the road-tax on the Company lands had frightened him into taking action. He considered the project of selling the land an extremely important one and urged Ellicott to work to his fullest capacity towards its achievement. Ellicott accepted the assignment and made Busti’s desires known to those persons in Albany who could effect such a sale. Early in 1820, the Company lieutenants moved to achieve this objective: both David Ogden and his brother Ludlow lobbied in Albany; Evans against pressured his fellow senators; and Ellicott himself prepared “the minds of the people of the western counties” for the sale. When all preparations were completed by March, Busti offered to sell all the Company lands, mortgages, and contracts in the state for a little over $6 million; he later reduced this figure to $5.5 million. The state
could pay this money in 4 percent bonds. Busti made a good case for the sale as he pointed out that of the original purchase, the company still owned 1,770,369 acres, and were creditors for $4.5 million in future payments.

With prospects for an early passage quite favorable, Busti's petition moved into the legislature, but the bill was not destined to win approval. Ellicott, of course, urged his nephew David Evans to support the measure and to "use all his efforts consistent with his legislative duties towards accomplishing the Sale." Agent-General Busti recognized Ellicott's influence on his nephew for he told Ellicott: "From your Nephew Evans . . . I expect to find a strong cooperation of my scheme; besides my insinuation, he [Evans] will have received the injunctions of his uncle." Ogden also worked hard on behalf of the Company's cause, but the legislative term was too close to adjournment to allow sufficient time for the necessary discussion of such a sale. Moreover, the Bucktails and Clintonians fought each other so bitterly that they refused to effect a compromise on the plan. Thus ended the Company's efforts to sell its land west of the Genesee to the government, for Busti accepted the fact that the project had become too controversial for the legislators to handle. While Busti lauded Ellicott for blocking the passage of the road-tax, he felt that his Resident-Agent had not demonstrated sufficient flexibility in campaigning for the sale of Company land to the state. The Agent-General was never to forgive his Resident-Agent's failure in this project.

Joseph Ellicott's conduct in each of the three major issues had shaken Busti's great confidence in the Resident-Agent. His increasing melancholia had upset Busti, as had his failure to placate the western New Yorkers, and his inability to persuade the state legislature to buy the Company land. The gubernatorial election of 1820 was the Joshua-like blow that caused the final split between the two men.

The election of 1820 had special significance because it was the first time that Ellicott opposed DeWitt Clinton politically. Prior to this, in 1817, he had given Clinton his wholehearted support in his race against Peter B. Porter, and in the 1818 election, he had backed Clintonian candidates for offices in the state legislature. What is more, his nephew, David E. Evans, a member of the state senate, had generally supported Clinton during the legislative squabbles of the following year.

In the campaign for the governorship in 1820, however, Joseph Ellicott decided to break with the Governor and to support Daniel Tompkins, the Bucktail candidate. The split was the direct result of
Clinton's opposition to Ellicott's policies for the Bank of Niagara. The Governor's intervention in the affairs of the bank convinced Ellicott that Clinton lacked integrity. Thus, in the 1820 election he joined the opposition party and the Big Family followed its leader out of the Clintonian ranks. Ellicott's nephew, David Evans, also refused to support Clinton's associates and along with his uncle united with the Bucktails, while William Peacock, Ellicott's nephew by marriage and the Company subagent of Chautauqua County, used his political influence against Clinton. The Bucktails depended on this schism between the Governor and the Big Family to reduce Clinton's traditional pluralities in western New York and thus bring victory to Daniel Tompkins. "The Bucks agree," reasoned Forward, who was a Clintonian, "that the election depends on our Counties [Niagara, Genesee, Cattaraugus, Chautauqua] & they depend on Ellicott, Clarke & Wilson." 27 Archibald Clarke and Isaac Wilson were friends of Ellicott and had supported him loyally.

After a hard-fought campaign in which some 80 percent of the normally Republican newspapers favored the incumbent, the voters reelected DeWitt Clinton as governor by a scant majority. In nearly 93,500 votes cast, only 1,457 separated the two candidates. Ellicott and the Big Family failed in their mission. In western New York, Clinton received a plurality of 3,462 that helped to decide the election. The voters in the western section preferred Clinton because they wanted the canal, and Clinton had never wavered in his support of this waterway. Tompkins, on the other hand, carefully avoided committing himself on this issue. As a result, although Ellicott had given valiant support to the canal project, the voters refused to hand over the governorship to his candidate, Daniel Tompkins.

Both parties claimed the 1820 election results as a victory, and in part each could justify its assertions. The Clintonians won the gubernatorial election, and in the western district, senatorial candidates Forward, Hart, and Mills defeated their Bucktail opponents. The Bucktails, on the other hand, gained a majority in both houses of the legislature. No one disputed the fact that Clinton ran ahead of his party in all sections of the state.

The Bucktail-controlled assembly now proceeded to elect a Council of Appointment that included David Evans, Ellicott’s nephew. Evans had gone a long way. Starting as a Clintonian, he had switched to the Bucktails, and now served on the omnipotent council. Van Buren, a master of political persuasion, recalled this pleasing conversation in his Autobiography:
"Give in Your Demission Yourself"

Evans came to Albany, an honest and intelligent young man from the Western District as a Clintonian, but being disgusted with his Associates in the Legislature, he sought me out, in one of our Caucuses, before they separated from us and when their leaders were trying, against our opposition, to obtain an adjournment, and told me that he had lost all confidence in the men with whom he was acting, and asked me to consent to an adjournment, which I cheerfully did, from which time to the end of his life he was my fast and active friend politically and personally.” 28

Throughout his term, Senator Evans abided by the advice of Joseph Ellicott. He served as eyes and ears for his uncle and loyally transmitted what he saw and heard.

Paul Busti, Ellicott’s employer, carefully followed the 1820 campaign from his office in Philadelphia and soon grew alarmed at the venomous manner in which the parties attacked each other. In this struggle, the press printed ugly, inflammatory stories about the candidates and their supporters. The attacks spread from Tompkins to Ellicott to the Big Family, and finally to the Holland Land Company. Busti was afraid that the bitterness engendered in this election would continue against the Company after the canvassers counted the ballots. He wrote to Evans seeking “the best means (if there any exists) of putting a stop to the evil consequences, that may result from the abuse [that] is made of the press.” 29

The over-cautious Busti, sensitive about any criticisms of himself or the Company, had always gone out of his way to avoid censure. In 1802, for example, he had decided against buying the Indians’ land around Buffalo “to avoid the odiosity and jealousy so unjustly attached to them of being monopolizers.” 30 Yet, at so early a date, some people already regarded the Company as a “menace” and indicated these feelings to Busti. In July, 1808, Louis LeCouteulx, a Company agent and a friend to Ellicott, reported that in Buffalo he overheard this comment: “If the Holland Company did own the land, they did not own the People.” 31

Busti was greatly disturbed, therefore, by Ellicott’s participation in the 1820 elections, particularly since there had been a long record of earlier political involvement on the part of his Resident-Agent. In the 1807 elections, some one had blamed Ellicott for excessive exertions that included physical violence. Flatly denying that he committed any of these acts, the Resident-Agent explained: “We had carefully avoided putting our Names to a single electioneering Address, and during the
Election I made it a strict Point of keeping away from the Election Ground until the Election was nearly to a Close, and when I went to give my vote I turned immediately to the Land Office, and I am confident without exchanging a single word on the Subject of beating Brown, or any other person.” 32

In his explanation to Busti, Ellicott pointed out that the land agents of the nearby Pulteney Estate and the Hornby English Land Company had played prominent roles in the election. He then raised the questions with Busti concerning the political rights that employees of the Holland Company could exercise. “Shall the Persons,” he asked, “who transact business for the Holland Land Company enjoy less Privileges, and even forfeit their Rights of Citizenship so far as not be allowed to give an Opinion in favour of their Candidates for Governor, Senate and Assembly [who] they have the Best Reason to believe are friendly disposed towards their Principals the Holland Land Company for fear of offending a few Characters who differ from them in Political Principles?” Ellicott, a strong Jeffersonian, answered his own inquiry with a ringing “No” and continued his active role in politics. Thus, in the election of 1820, Ellicott broke no personal precedents by his political involvement. He merely followed his established course of action.

Since the start of Ellicott’s agency, Busti had clearly and frequently cautioned him to avoid political entanglements. He explained his “dislike” that Ellicott “meddle” in politics by this simple logic: “In case of success no favor can be favored by the company and much harm in case of a failure.” 33 As Resident-Agent, Ellicott occupied a prominent position; therefore, Busti felt that he would have to conduct himself in a most discreet manner. For almost a score of years, though, Busti had also vacillated on the issue of Ellicott’s political actions. The two men had frequently wrangled over the question, yet it remained unresolved. Because the subject became crucial in their relationship, it is perhaps sensible to analyze the incident of 1805.

On April 11, 1805, Ellicott had written a circular taking a strong position on the coming elections to the assembly. The circular categorically indicted the Federalists as “a Set of designing knaves” who were using “every means that falsehood & intrigue can invent” to elect their nominees. “Every honest Man and friend to his Country,” was therefore urged, “to frustrate” the Federalist “Schemes.” Pushing the Republican cause, Ellicott “earnestly recommended” that the voters “warmly support” the anti-Federalist ticket. Specifically he proposed that meetings be called in all the neighborhoods to nominate the Republican candidates. The circular concluded with “Believe me your friend” and was signed Joseph Ellicott.34
This overt, blunt, frontier type of appeal for political support was common to the times, yet it offended the sensibilities of Paul Busti. He preferred the inconspicuous, behind the scenes, soft-glove approach, and upon receiving a copy of the circular was outraged. In a blistering three-page letter to Ellicott, Busti opened with the customary "Dear Sir" but followed with an exclamation point. He criticized "the outrageous language" that gave the impression Ellicott "must be ranked among those incendiaries" whose only aim was to overturn the American government. The Agent-General did not ask Ellicott "for an open recantation" or "a retraction." "Avow to me to have been in the wrong," proposed Busti, and "that your real sentiments are not those expressed in that circular." But Busti wanted more from Ellicott. He firmly insisted that in the future there must be no "political misconduct," adding pointedly: "You should not meddle in any manner with the political intrigues about the Elections." Then in a more equivocal vein, he advised Ellicott to draw "near a reconciliation with your political opponents." The business-oriented Busti reminded his Resident-Agent that "self-preservation is the supreme law." The Company wanted peace, avoided political entanglements, and was unconcerned "whether the helm of the State is held by Adams or Jefferson, Clinton or Lewis." To make unquestionably clear his grave concern, Busti warned Ellicott that if the author of the circular could not promote peace on the purchase, "it would be a salutary measure to dismiss him." The letter concluded with a demand for Ellicott's explanation.

In characteristic fullness, the Resident-Agent responded. As to the distribution of the circular, it was not designed "to be shown to more than two or three Characters." Far more crucial, reasoned Ellicott, was the election and more particularly the Federalist candidates who posed a threat to the Company. This was his main rebuttal. Defending himself against Busti's charge of being narrow and partisan, Ellicott asserted that his friends were divided equally in both parties. As proof he cited that the Federalists held about half of the political offices, adding a bit smugly: "the greater part of which I have the vanity to believe obtained their offices through my recommendation." For example, Richard Smith, a Federalist, held the office of surrogate "entirely through my recommendation." The same could be said, continued Ellicott, about Federalists in the offices of "the Senior Judge of the County, two assistant Judges, and divers Justices of the Peace."

Having disposed of the criticism of political bias, Ellicott detailed his objections to Cyrenius Chapin, one of the three Federalist candi-
dates for the assembly. It was Busti who in an earlier letter was not disposed to sell certain lands to Chapin. And it was Jan Lincklaen, a trusted Company employee, who had informed Ellicott that Cyrenius Chapin “was one of the most vicious inhabitants in the County of Shenango” from which he came. From first-hand experience, the Resident-Agent recalled that Chapin had brought charges against a man named Johnston, accusing him of having “Stolen a pair of suspenders, & Some other trifling articles.” Accepting Chapin’s advice that confession would reduce the sentence, Johnston nonetheless was imprisoned six months and fined $25. Unable to pay the fine, he remained in jail. Johnston was finally released through the intervention of Ellicott and his friends who provided the needed money “to prevent a further expence to the County.”

Ignoring the other two Federalist candidates running with Chapin, Ellicott now documented the position of another malcontent, Daniel B. Brown. When Federalist Brown first settled on the purchase, Ellicott had “patronized him, and recommended him to business.” In a short time, Brown prospered but then “began to pry into all the secrets of this office” to determine “whether the Company’s title to these lands were not defective.” The two men quarreled. Soon after, Brown sought to buy land near the Batavia courthouse. According to Ellicott, he informed Brown that the lands had not yet been laid out, prices had not been fixed, and that “it was immaterial . . . who became the purchasers.” The bitter feeling, nevertheless, deepened, and one day Brown “in a fit of intoxication” abused Ellicott “publicly in the Street.” Still seeking trouble, Brown now cast suspicion on the Articles of Agreement given by the Company in lieu of granting full deeds until the entire purchase price had been paid.

Ellicott’s refutation rested mainly on the danger to the Company from people like Chapin and Brown, who “were riding through the County propagating lies and falsehoods.” It was under these conditions, explained Ellicott, that the circular was drafted. He admitted that it was “hastily wrote without that due Consideration, which would have been proper on that occasion.” He conceded, too, that the language used in stigmatizing all the Federalists “was extremely intemperate and improper.” For these infractions, he offered to apologize publicly. On his criticisms of Chapin and Brown, however, Ellicott stubbornly refused to retract a word.

In the last part of the letter, the Resident-Agent used arguments in his defense that a man of the world like Busti understood. He protested being labeled “Jacobin, or a dangerous Character,” as being
efforts at character assassination. Any man in his position, Ellicott reminded Busti, was bound to incur some enemies who “Stand ready Centinels to Communicate any information . . . that they conceive will have a tendency to bring me in disrepute in the opinion of the Agent-General.” Adopting Busti’s concern for peace, the Resident-Agent asserted that no other settlements had greater unity and harmony “between the People and the Agent” as on “this Purchase.” And in a closing literary flourish, Ellicott accepted Busti’s advice “as a Beacon for me to Steer by to avoid the Shoals that might otherwise occasion a Shipwreck” and promised to “be more cautious where I place my Signature.”

The 1805 incident is worth examining a bit further. The two letters between Busti and Ellicott demonstrated an underlying tone that resounded in most dealings of the Company. The Company was all important, the alpha and omega, a sacred cow, a glorified entity just short of being a deity. To paraphrase a contemporary cliché what was good for the Holland Land Company was good for all those involved with the Dutch-based syndicate. To this shibboleth Paul Busti, Joseph Ellicott, and their respective successors subscribed wholeheartedly.

The circular and the two letters also exposed basic differences between Ellicott and Busti. Ellicott was direct, brusque, and blunt, while Busti was diplomatic, compromising, and urbane. On the issue of political intervention, their differences were subtle, one of degree. Both men understood the value of political influence and the Company need for well-placed friends in government. So long as Ellicott wielded his political authority to gain company objectives without trouble, Busti applauded. Occasionally, as in the case of 1805, when Ellicott used a heavy-handed approach, Busti remonstrated.

Emerging sharply in the fight over Ellicott’s political activities is the picture of the Agent-General as somewhat ambiguous but certainly ambivalent. While Busti admonished his Resident-Agent to keep out of political entanglements and embarrassing commitments, he was not averse to employing Ellicott’s political influence in a respectable fashion. When the Company was involved in a problem that the Resident-Agent could solve through the use of political channels, Busti encouraged Ellicott to avail himself of circumspect political means. In the strongly contested election of 1820, for example, Busti confided to Evans: “I am far from believing [that] your good Uncle has acted in direct opposition of the old recommendation I made of avoiding to meddle and temper in State politics.” Busti recognized that Ellicott
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held great political influence in western New York, and that his political opponents would revile him, regardless of his tactics. The Agent-General lamented over the entire situation: "Defamation in such cases of party squabbles ought never to attain the proposed end with men endowed with common sense." 37

The unfavorable criticism of the Company and its Resident-Agent reached a climax in the winter of 1820–21 when demands arose for Joseph Ellicott's resignation. Until now, Busti had supported Ellicott with unswerving loyalty. By 1820, opposition to the Resident-Agent had become so formidable, however, that he began carefully to reassess Ellicott's over-all record. A cautious man, Busti was particularly disturbed by the Clintonians' attitude because it seemed to indicate that Ellicott had broken his rule of remaining clear of antagonistic political involvement.

When the Clintonians lost control of the assembly in 1820, they forfeited, at the same time, the political patronage of the Council of Appointment; they blamed Ellicott's desertion for these failures. Thus, the goal of the punitive Clintonians became the removal of Ellicott as Resident-Agent and the substitution of a more loyal party follower. They suggested that Samuel M. Hopkins replace Ellicott. Hopkins came from Connecticut and had earned a good reputation, especially for his work in developing some of the lands on the Genesee River just east of the purchase. To advance Hopkins to the post of Resident-Agent, the Clintonians organized their forces to bring pressure directly on Paul Busti. Ambrose Spencer, Chancellor Kent, and even Governor Clinton wrote to Busti and warmly praised Hopkins' qualifications as Resident-Agent, in the event that the Agent-General dismissed Ellicott. They indicated to Busti that they understood Ellicott's removal was a distinct probability.

Additional support for replacing Ellicott with Hopkins came from influential Buffalo residents headed by Samuel Wilkeson. In 1814, Wilkeson had come to Buffalo where he started as a merchant and quickly rose to prominence. In 1817 he accepted the then important office of justice of the peace; a year later, the voters elected him supervisor, and in 1819 he became an assessor. Wilkeson continued to climb the political ladder as a Clintonian. He clashed with Ellicott in 1819 by aggressively pushing for the early construction of a harbor at Buffalo. This disagreement widened the following year when Ellicott withheld his full support for the harbor. Wilkeson and his friends sought Busti's aid for this port, and at the same time, they bitterly castigated Ellicott. In March, 1821, Wilkeson headed a petition of
fifty-seven persons who strongly urged Busti to remove Ellicott and employ Hopkins in his stead. This petition reviewed Ellicott's liabilities to the Company: the settlers would not pay their debts to the Company just to spite Ellicott; the Resident-Agent had made his office into a political party; and Ellicott was "ungentlemanly, morose, inaccessible, inhospitable and abusive." In contrast, Samuel M. Hopkins was "conciliatory and Gentlemanly," and striking a sensitive point, he had not "mingled at all for many years in the contentions and squabbles of party." The petition concluded with a bargain: if Busti appointed Hopkins as Resident-Agent, the Clintonians would cease fighting for a road-tax on nonresident landowners such as the Holland Company.

When the Bucktails heard the rumor of the Clintonian effort to oust Ellicott and replace him with Hopkins, Van Buren and his friends quickly moved to prevent Joseph Ellicott's dismissal. The Bucktails, who for years had criticized DeWitt Clinton for party disloyalty, took a firm stand. In typical Van Buren sophistry, they suggested that "to prevent the subjection of the power of the Company to the purpose of party," Busti should retain Ellicott. A letter signed by thirteen Bucktails, headed by Martin Van Buren, was sent to Busti on March 12, 1821. This note summed up the recent political history to prove that the Bucktails, and not the Clintonians, had remained loyal to the best interests of the Company.

While their letter was written in a temperate vein, the Bucktails took the matter of Ellicott's proposed ouster seriously. To Van Buren in particular, this case tested an important tenet of the Bucktails—party support for party loyalty. After Busti received the appeals from both parties regarding Ellicott's future, Hopkins visited the Agent-General at Philadelphia. When he returned to Albany, Hopkins announced that Busti had appointed him agent for part of the Company lands. Deeply upset, the Bucktails laid plans to retaliate in the event that Hopkins' claim were true. They asked Rufus King, at that time a United States senator, to inquire how far the Monroe administration would support the Bucktails in this fight. In reply, Secretary of State John Quincy Adams offered to send whatever reports were involved to the United States representatives in Holland with the request that these papers be given to the directors of the Holland Land Company. Adams also agreed to instruct the United States embassy in Holland to express the American government's displeasure at the behavior of Holland Company agents in the United States, and to urge the Company to remove both Hopkins and Busti from their posts.

Even before both parties pressured him concerning Ellicott's future,
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Busti had realized the full dangers that the Company faced if the office of Resident-Agent became a political plum. Vividly he remembered his unhappy experiences in Pennsylvania when some of the politicians there had used the Company’s program as a political football. Busti, moreover, had lately received impressive information in the Wilkeson petition that Ellicott was not treating the settlers in a civil manner.

The Agent-General had an agonizing decision to make. For twenty years, he had worked closely with his tall, portly Resident-Agent. Their relationship had been one of sincere mutual respect, and the two men had fully discussed with each other various Company matters. Busti had consulted Ellicott on numerous occasions and had followed his advice in most instances. He had come to value Ellicott’s strengths: his industry, honesty, ability, and total dedication to the Company. What Busti could never fully understand were his Resident-Agent’s experiences. Ellicott’s two years of tramping through the forest during the Big Survey of 1798–1800 and his two decades of living in the wilderness of western New York were ways of life that were alien to the Agent-General. During Busti’s first forty-nine years, he had resided in Europe in comfortable circumstances. While Ellicott was working in frontier Batavia, Busti was occupied in cosmopolitan Philadelphia. Only once, in 1805, had he visited Batavia; in 1821, he would go there a second time. Although he became an American citizen, Busti had never experienced the trials of frontier living.

A man of impeccable manners, personally kind and generous, the well-educated Agent-General had to determine whether his Resident-Agent had reached a point where his liabilities to the Company outweighed his assets. As individual problems, Busti could live with Ellicott’s mental depression, could adjust to the frontier criticisms of the Company and its agents, and could even try to reconcile himself to legislative decisions not to buy the Company land. However, the election of 1820 had ramifications which, added to the other three problems, were more than Busti could bear. Today, a prominent executive who needed to be removed would be given a high sounding title and shifted to a harmless post. In those days, apparently, such changes were not made. Nor did Busti have the pressure of worrying about Ellicott’s financial circumstances; the patron of Batavia had become wealthy. After some painful soul-searching, the Agent-General concluded that the Resident-Agent had outlived his usefulness to the Holland Land Company.

By December, 1820, Paul Busti had decided to discharge Joseph
Ellicott. It was a serious decision that demanded proper timing and diplomatic handling. As he explained to the Company directors, to whom he always wrote in French, Ellicott had reached a position of influence that could be compared to the “Intendants des grands Seigneurs”; he needed to be treated discreetly (“ménager”). Busti elaborated that he was waiting for a more opportune time to make this resolution known to Ellicott. To dismiss his Resident-Agent now before he could complete the lobbying activities that he was supervising in the state legislature of 1821 was dangerous. Nor did Busti permit the March, 1821, memorials from the Wilkeson-Clinton group and from the Bucktails to hurry him. With the patience of an experienced administrator, he waited for the proper time, meanwhile giving careful thought to how such a letter of dismissal should be written.

The proper time came after the state legislature had ended its session, and on April 9, 1821, Busti sent his long-considered communiqué to Ellicott. The Agent-General began the vital letter by expressing “mortification” that his proposal to the legislature asking the state to buy the purchase had not been called up either by Ellicott’s political friends or even by his nephew and long-time Company employee, state Senator David Evans. For many months Busti had worked on the plan of sale, which he considered “the best possible remedy” for the Company, and its rejection was a great disappointment. He now summarized the situation concisely. Finding capitalists to buy the entire purchase, when property had depreciated so much, was unlikely. Were a buyer located, he could not be expected to risk money west of the Genesee where discontent could flare any moment into the open, endangering the peace. Many complaints, especially during the past two years, had come to the Agent-General; although he had fully supported Ellicott, the protests were portents that could not be ignored.

The Agent-General developed his thoughts further. Unable to sell the land in one block, the Company had to remain in western New York, and this gave Busti two choices: to keep Ellicott or replace him. He was in a quandary. He insisted that his preference was to keep Ellicott. However, by retaining him, Busti would endanger “the dear & best interests of the HLCy.” Sacrificing his Dutch employers was unthinkable, almost sacrilegious. In further explanation, the Agent-General drew an analogy between himself and a king whom the people compelled to dismiss a trusted minister. Busti came now to the heart of the letter. To avoid deposing Ellicott, he diplomatically requested him: “give in Your demission yourself.”

In picking the word *demission*, Busti chose aptly. He wanted Elli-
cott to relinquish the office of Resident-Agent as a voluntary act, in­
sisting piously, on “word of honor,” that no one knew of the decision. 
Idle rumors of a new Resident-Agent had abounded, but Busti had 
denied such gossip. Then playing up to Ellicott’s pride, he added: 
“None of Your open or Secret enemies will be able to boast of having 
prevailed against you.” Returning to the argument that the last hope 
of selling the purchase in one piece was gone, Busti was driven to make 
drastic changes. As a starter, he would choose a Resident-Agent who 
was “perfectly neutral to parties, who neither enjoys nor excites the 
animosity of a divided people.” Reverting to another analogy, he 
pointed out that the Company, like a popular government, required 
the good will of the people to continue. It was not really an option, 
Busti concluded, but a necessity that Ellicott resign.

At the same time that he gave Ellicott notice of his decision, Busti 
sought to mitigate the blow. Rather than abrupt abdication, he asked 
the Resident-Agent to take his time and determine for himself “the 
epoch of your resignation.” Such a time, suggested Busti, might well 
coincide with the submission of the annual report. To offset any im­
pression of a long-time conspiracy, Busti indicated that he had not 
yet chosen a successor, and that none who had already applied would 
be elected. One criterion was certain: “the next Agent shall be a 
Stranger to the political squabbles by which the State is disturbed.” 
To soften further the shock of “demission,” Busti proposed that Elli­
cott grant concessions to the debtors on the purchase. The Company 
proposals would reduce financial pressures and help the industrious 
to pay their debts more easily. The good will offers would also enable 
Ellicott to retire from his agency with additional respect from the 
settlers.41

Busti’s efforts to soften the effects of Ellicott’s dismissal failed. 
The notification that he would be dropped from his post deeply upset 
Ellicott. His melancholy had by now deepened and Ellicott found 
himself “in almost constant excitement.” He condemned those “who 
had insinuated themselves” in the Agent-General’s confidence so that 
he would discharge him, and denounced the men who had petitioned 
for his removal.42 To change Busti’s mind, he analyzed in a detailed 
twenty-nine page letter each of the causes that the Agent-General had 
given for his dismissal. He reminded Busti that he had labored long 
in behalf of the Company and the Agent-General: “I shall always have 
the pleasing satisfaction in my retirement to conscientiously believe 
(as far as discretionary power was voted) that all my transactions 
have been with the single eye to the honor of the Agent-General’s ad-
miration, and with the most pure views for the promotion of the best and dearest interests of the Holland Company.”

Elicott even threatened to take his case to the Company Directors in Holland. But Busti clung to his decision to appoint a new Resident-Agent. In desperation, Elicott now countered by refusing to comply with Busti’s request to resign. Instead, he insisted that Busti “dismiss” him if he wanted a new Resident-Agent. In the end, Busti’s reason and moderation prevailed, and Joseph Elicott resigned as Resident-Agent of the Holland Land Company, effective October 26, 1821. As Elicott’s replacement, Busti had selected in May, 1821, a Philadelphia lawyer and business friend, Jacob S. Otto; he did not take office, though, until October 25 of that year.

Still undaunted, Elicott made one more effort to regain his position, this time as owner rather than employee. In July, 1821, he asked Busti at what price the Company would sell its remaining land west of the Genesee. Promptly responding, Busti offered to dispose of virtually all the Company land for sixty cents an acre, payment to be made in cash or stock in the Bank of the United States. Reserved to the Company, however, would be single lots in Batavia, Buffalo, Mayville, and Elicottsville. The old Resident-Agent tried to get financial support from his monied friends but in vain, so he dropped the idea. Thus, with the official changeover in Resident-Agents a permanent reality, an eventful period in the history of western New York and the Holland Land Company had drawn to a close.

The bitterness engendered by the Busti-Elicott quarrel left a sour residue between the supporters of each side. For all concerned, the transition period following Elicott’s departure was difficult. The main question, though, involved the members of Elicott’s Big Family, who continued to hold prominent positions in the Company hierarchy. During the tension-filled change, the Busti forces made accusations of corruption, special privilege, and divided loyalties. The newly installed Resident-Agent, Otto, charged Elicott with having deeded 13.74 acres in Buffalo to David Evans and another nephew Joseph Elicott, Jr., for $137.40 at a time when the same land could have brought $50 an acre. More serious was Otto’s blanket denunciation that, in Buffalo alone, Joseph Elicott held “the best property,” brother Benjamin owned “corner Lots, water Lots, and all the prominent Spots which overlook the Lake,” and nephews Evans and Peacock likewise possessed choice parcels of land. Busti, normally urbane and impartial, caustically regarded three members of the Big Family—David Evans, William Peacock, and David Goodwin—as “continuing to fatten on the
carras of the Holland Land Company as worms do on corpses." 46 Yet, these were key personnel, veterans of many years experience in selling land: Evans, a chief clerk in the Batavia office since 1803; Peacock, a subagent of Chautauqua County since 1810; and, Goodwin, a subagent of Cattaraugus County since 1817. Combined, the three cousins had thirty-three years of seasoning, and what to do with them was no small problem.

Something different happened to each of the three men. In the most prickly position was David Evans, who wavered, then decided to remain with the Company as first clerk until 1825 when he resigned. In 1827, he returned, this time as Resident-Agent to replace Otto, who had died that year. During the decade that Evans held office, the Company sold its remaining holdings west of the Genesee. William Peacock, Ellicott's nephew-in-law, kept his position of subagent until 1836 when he retired. Of the trio, David Goodwin, another nephew-in-law, was most vulnerable. Accused of "habitual intemperance" and "dishonest conduct in office," 47 he even forfeited the support of David Evans, and Otto forced Goodwin to resign in December, 1821.

Meanwhile, worried about his health, Joseph Ellicott prepared a comprehensive will that covered more than thirteen ledger-sized pages. The will contained no major surprises. Characteristic of Ellicott, it confirmed his strong family ties, his partiality for nephew David Evans, and his gratitude to brother Andrew. It did reveal, though, the extent of his large land holdings and the problems of their disposal. To his sisters, Ann, Letitia, and Rachel, and to Sara Ellicott, wife of his deceased older brother Andrew, Joseph allocated $250 annually. To three churches in Batavia, he donated land, and to David Evans, John B. Ellicott, Lewis B. Evans, and Jonathan Brown, Ellicott granted in perpetuity the lots they were already using. Of the residual estate, he bequeathed one-fifteenth to brother Benjamin; the remaining fourteeneigh-fifteenths he divided among the children and their lineal descendants of brother Andrew and sisters Ann, Letitia, and Rachel. Joseph favored Andrew's children, who would receive one-eighth more than the other cousins, because his older brother had set him on the path to success. As executors, he appointed five men: brother Benjamin, nephews David Evans and Andrew Ellicott, William Peacock, and Nathaniel Griffith. In addition, he selected Evans and Peacock as "special Trustees" to dispose of land not now under contract. This was the will to which Ellicott affixed his signature on December 31, 1823.

Dissatisfied with certain terms, Joseph added three codicils. In the first modification, he withdrew the one-fifteenth grant to Benjamin
"Give in Your Demission Yourself"

"in consideration of the large estate he now owns." Instead, he transferred to his brother two lots and the Batavia mansion with many of the buildings "thereon." Another change reflected Joseph's deep feelings for primary relatives. He removed executors Peacock and Griffith as "not being related by blood," replacing them with William Evans and Benjamin Evans. Similarly, he dropped Peacock as a special trustee and kept Evans as the only one. In the first codicil, too, he distributed land more specifically. The valuable lot number 104 in Buffalo was partitioned into three equal parts: to the sons of Andrew Ellicott, to four other nephews, and to David Evans. The esteemed Evans received, also, lands and houses in Batavia, and with the children of brother Andrew, shared all of Joseph's land in the Counties of Niagara and Erie owned jointly with his brother Benjamin; Evans acquired one-third, the children two-thirds.

The undated first codicil was written before December 20, 1824, the date of the second change. In the second codicil, Ellicott distributed shares of stock of the Bank of the United States to more distant relatives: one cousin, twenty-five; five unmarried nieces, fifteen each; an aunt of the late wife of David Evans, twenty-five; and, to an orphan child who had lived several years with the family, fifteen. The third and final codicil, signed March 15, 1825, specified that sisters Ann, Letitia, and Rachel and sister-in-law Sara Ellicott would inherit equally the household furniture and all his stock in the Ontario Bank.48

In its final form, Joseph Ellicott left over half of his estate to special bequests and the residual portion to eighty-seven legatees. When Ellicott drew up his will, his estate was valued roughly at six hundred thousand dollars. It was almost twice the size of Benjamin's whose holdings were appraised at about three to four hundred thousand dollars.

After his retirement, Ellicott's health, already poor, deteriorated rapidly. Accepting the advice of his physicians that he go to New York City where specialists could attend him, Ellicott in November, 1824, made the journey in the company of relatives and friends. When the analysis disclosed that he was suffering from severe mental depression, as well as a physical breakdown, the New York City doctors urged him to enter the asylum at Bloomingdale, at that time situated near the present site of Columbia University. This he did, but his condition grew so critical that David Evans was legally empowered to act in behalf of his uncle.

While his health was failing at Bloomingdale, many of the projects that Ellicott had initiated came to fruition. One hundred thousand set-
tlers were now developing the land that he had helped to survey. Several desirable counties were emerging from the original Genesee county as a result of the campaign that he had started. The canal whose route he had helped to plan was transporting increasing numbers of people to the west to start New York on its road to becoming the Empire State. Ellicott's dreams had become realities, hardly marred by the ironic turn of events that had led to the alliance in 1826 of his friend, Van Buren, with his opponent, Clinton, for "political expediency."

Joseph Ellicott, however, was in no condition to rejoice over his achievements or to lament the hypocrisies of political conduct. His life had become a twisted world of tormented thoughts, whirling confusion, and deep moroseness. Occasionally, his mind would flash back to the rich and warm moments of the past, but the blackness of the present would soon overwhelm him once again. Unable to control himself any longer, Ellicott made several attempts at suicide. Finally, he escaped his attendants and on August 19, 1826, took his life, hanging himself by a handkerchief. 49

Thus at the age of sixty-five Joseph Ellicott ended a vigorous and useful life. He was interred in the Friends burial ground. A few months later, he was laid to his final rest in Batavia in the same plot with the family twins whom he had always loved, sister Rachel and brother Benjamin. Over his grave, a towering granite obelisk now stands; and across the street, facing the graveyard, a large Massey-Harris factory produces farm tractors to work the land that he had sold.

Joseph Ellicott was not a great man—not if he is measured on the basis of his contributions to economic theory or political philosophy. If, however, he is judged by specific contributions to the economic and political development of western New York from 1800 to 1821, he emerges as an important figure in the history of this area. A frontier leader by dint of practical economic and political common sense, rather than by military prowess, a planner who planned for others as well as for himself, Joseph Ellicott was largely responsible for accomplishments that are still worthy of recognition today.