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**History 1301**  
**U.S. to 1877**

Chapter 6

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The Constitution

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# Reforming the National Government:

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- Government disheveled:
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  - 1785 Settled in NYC / delegates not effectual
  - Economic chaos – competing states
- Reform movement:
  - Leaders wanting reform – Alexander Hamilton and James Madison
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  - 1786 Annapolis Convention 5 states, called for general convention in Philadelphia 1787
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- Constitutional Convention 1787:
  - delegates were young, active, rising and “functional wealth but not distinctly revolutionary
  - Geo Washington presided / closed to public and press / one state – one vote but used majority rule
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  - Feared the “turbulence and follies of Democracy” and “remote and tyrannical authority”
  - Changed title to “Gov’t of the United States” from “National Gov’t” to dispel authority issue

# Framing the Constitution:

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- Legislative issue:
  - Madison / Randolph – Virginia Plan – 2 houses – population lower house / upper elected by lower into an open chamber (not every state represented)
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  - much more power tax, military, regulate commerce
- Slavery issue:
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- Grand Committee: Franklin, one delegate from each state – produced:
  - Great Compromise – Roger Sherman – Connecticut Plan  
2 house – one selected by State Legislatures / one population
  - Slaves would be 3/5 of a person for tax and representation / Slave trade couldn't be outlawed for 20 years
  - Sovereignty – resided in the people - the constitution divided the people's power between States and Central – “Federalism” – Constitution was “Supreme Law”
  - Checks and Balances – each branch to have power to check the others – each branch needed the others to operate – “Separation of Powers”
  - Power to obstruct tyranny from above or below through Electoral College & Senate through state legislatures
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- Confederation Congress submitted it to the states for Ratification Sept 12, 1778:
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## Adoption of the Constitution:

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- 1788 State Ratification conventions convened, but a national debate took place:
  - Federalists – Madison / Hamilton / Jay
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  - Anti-Federalists – Patrick Henry / Sam Adams
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- VA / NY ratify in June 1788:
  - Even though a majority had previously approved
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- First election – 1789:
  - George Washington unopposed – John Adams VP
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- The New Republic:
  - Organic Act to create Federal Departments – War, Treasury, State, Post Office & Attorney General
  - Madison in Congress authored Bill of Rights - Congress approved Sept 1789
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  - Judicial Act of 1789 – Supreme Court / District and Appeals courts – Supreme Court to be Supreme in constitutionality of State / Federal Laws
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# First Administration:

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- Major issues:
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  - Groups with competing visions evolved into solidifying “Federalists” and “Republicans”
- Washington more Federalist, but “above” faction
  - Hamilton and Federalists – elitist / urban / commercial took initial leadership
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  - National Bank 1790 - 91 to keep currency stable, loans to businesses, chartered by Gov’t but subscribed privately
    - - Fed Gov’t to buy Congress’ and State war debt
      - If purchased at “par” big profit to wealthy
      - Southern Capital deal
    - - Initial offering of \$10M - \$8M private @ \$400 / share
  - Revenue – sales of public lands
  - 1791 Excise Tax – Distilled Spirits produced in US
    - Small taxed heavier than large
    - All stills registered by Fed Gov’t
    - Violations were Fed Crime
  - Tariff on imports – revenue and protection

## First Federal Government – II:

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- Organized Opposition:
  - Nobody wanted “faction” but continually losing to Hamilton led opponents to organize into a “party”
    - - Federalists had given supporters spoils of office
    - Bonds, banks and tariff created divisive issues along sectional / socio-economic lines
    - - Madison create vehicles of partisan influence
        - State committees, societies and meetings – not only Federal but for state and local elections
        - Newspapers and communications
        - Pushed the line on “fair play”
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- Washington Administration problems
  - 1794 Whiskey Rebellion
    - W. PA distillers against excise tax – harassed tax collectors
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  - Indian troubles
    - Fed Gov’t only agency to deal with Indians
    - Continual encroachment led to Fallen Timbers 1794

## First Federal Government – III:

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- Neutrality in war between England and France - 1793 onward
  - - Hamilton worried because Britain was largest trading partner but State Dept in Republican (Randolph) hands
    - - Ratified in 1794 but much opposition and didn't really fix problems
    - Pinckney's Treaty 1795 – Americans could navigate Mississippi and established border of Florida and Spanish possessions
- Election of 1796
  - Parties came into being for the first time: Adams vs. Jefferson – won by only 3 votes – Jefferson VP (Fixed by 12<sup>th</sup> Amendment in 1804)
- Adams Administration:
  - “Quasi” war with France:
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    - US cut off trade, abrogated Treaty of 1778 and US Navy to capture French Navy on high seas – US Navy created in 1798 to do this
      - Constitution Class “Frigates”

# The last Federalist Administration:

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- Repression and protest:
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    - Alien Act – provided barriers to immigrants becoming citizens – gave President powers to get rid of them
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  - Republicans saw acts as against them – newspaper convictions
  - Kentucky & Virginia Resolves – written by Jefferson and Madison – States can take action against Federal actions seen as Unconstitutional
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- Election of 1800
  - Hotly contested Adams vs. Jefferson – no restraint
  - Aron Burr – motivated Tammany Society for Republicans and brought in NY for Republicans
  - Electoral vote produced tie of 73 for Burr and Jefferson – took election to House of Representatives where each state had one vote
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- Judiciary Act of 1801
  - Reduced Supreme Court – Appointed many judges
  - John Marshall – Chief Justice