Launching the New Ship of State

1789–1800

I shall only say that I hold with Montesquieu, that a government must be fitted to a nation, as much as a coat to the individual; and, consequently, that what may be good at Philadelphia may be bad at Paris, and ridiculous at Petersburgh [Russia].

Alexander Hamilton, 1799

America's new ship of state did not spread its sails to the most favorable breezes. Within twelve troubled years, the American people had risen up and thrown overboard both the British yoke and the Articles of Confederation. A decade of lawbreaking and constitution smashing was not the best training for government making. Americans had come to regard a central authority, replacing that of George III, as a necessary evil—something to be distrusted, watched, and curbed.

The finances of the infant government were likewise precarious. The revenue had declined to a trickle, whereas the public debt, with interest heavily in arrears, was mountainous. Worthless paper money, both state and national, was as plentiful as metallic money was scarce. Nonetheless, the Americans were brashly trying to erect a republic on an immense scale, something that no other people had attempted and that traditional political theory deemed impossible. The eyes of a skeptical world were on the upstart United States.

Growing Pains

When the Constitution was launched in 1788, the Republic was continuing to grow at an amazing rate. Population was doubling about every twenty-five years, and the first official census of 1790 recorded almost 4 million people. Cities had blossomed proportionately: Philadelphia numbered 42,000, New York 33,000, Boston 18,000, Charleston 16,000, and Baltimore 13,000.

America's population was still about 90 percent rural, despite the flourishing cities. All but 5 percent of the people lived east of the Appalachian Mountains. The trans-Appalachian overflow was concentrated chiefly in Kentucky, Tennessee, and Ohio, all of which were welcomed as states within fourteen years. (Vermont preceded them, becoming the fourteenth state in 1791.) Foreign visitors to America looked down their noses at the roughness and crudity resulting from ax-and-rifle pioneering life.
The French statesman Anne Robert Jacques Turgot (1727–1781) had high expectations for a united America:

"This people is the hope of the human race. . . . The Americans should be an example of political, religious, commercial and industrial liberty. . . . But to obtain these ends for us, America. . . . must not become . . . a mass of divided powers, contending for territory and trade."

People of the western waters—in the stump-studded clearings of Kentucky, Tennessee, and Ohio—were particularly restive and dubiously loyal. The mouth of the Mississippi, their life-giving outlet, lay in the hands of unfriendly Spaniards. Slippery Spanish and British agents, jingling gold, moved freely among the settlers and held out seductive promises of independence. Many observers wondered whether the emerging United States would ever grow to maturity.

Washington as President

General Washington, the esteemed war hero, was unanimously drafted as president by the Electoral College in 1789—the only presidential nominee ever to be honored by unanimity. His presence was imposing: 6 feet 2 inches, 175 pounds, broad and sloping shoulders, strongly pointed chin, and pockmarks (from smallpox) on nose and cheeks. Much preferring the quiet of Mount Vernon to the turmoil of politics, he was perhaps the only president who did not in some way angle for this exalted office. Balanced rather than brilliant, he commanded his followers by strength of character rather than by the arts of the politician.

Washington's long journey from Mount Vernon to New York City, the temporary capital, was a triumphal procession. He was greeted by roaring cannon, pealing bells, flower-carpeted roads, and singing and shouting citizens. With appropriate ceremony, he solemnly and somewhat nervously took the oath of office on April 30, 1789, on a crowded balcony overlooking Wall Street, which some have regarded as a bad omen.

Washington soon put his stamp on the new government, especially by establishing the cabinet. The Constitution does not mention a cabinet; it merely provides that the president "may require" written opinions of the heads of the executive-branch departments (see Art. II, Sec. II, para. 1 in the Appendix). But this system proved so cumbersome, and involved so much homework, that cabinet meetings gradually evolved in the Washington administration.

At first only three full-fledged department heads served under the president: Secretary of State Thomas Jefferson, Secretary of the Treasury Alexander Hamilton, and Secretary of War Henry Knox.
The new nation faced some unfinished business. Many antifederalists had sharply criticized the Constitution drafted at Philadelphia for its failure to provide guarantees of individual rights such as freedom of religion and trial by jury. Many states had ratified the federal Constitution on the understanding that it would soon be amended to include such guarantees. Drawing up a bill of rights headed the list of imperatives facing the new government.

Amendments to the Constitution could be proposed in either of two ways—by a new constitutional convention requested by two-thirds of the states or by a two-thirds vote of both houses of Congress. Fearing that a new convention might unravel the narrow federalist victory in the ratification struggle, James Madison determined to draft the amendments himself. He then guided them through Congress, where his intellectual and political skills were quickly making him the leading figure.

Adopted by the necessary number of states in 1791, the first ten amendments to the Constitution, popularly known as the Bill of Rights, safeguard some of the most precious American principles. Among these are protections for freedom of religion, speech, and the press; the right to bear arms and to be tried by a jury; and the right to assemble and petition the government for redress of grievances. The Bill of Rights also prohibits cruel and unusual punishments and arbitrary government seizure of private property.

To guard against the danger that enumerating such rights might lead to the conclusion that they were the only ones protected, Madison inserted the crucial Ninth Amendment. It declares that specifying certain rights "shall not be construed to deny or disparage others retained by the people." In a gesture of reassurance to the states’ righters, he included the equally significant Tenth Amendment, which reserves all rights not explicitly delegated or prohibited by the federal Constitution "to the States respectively, or to the people." By preserving a strong central government while specifying protections for minority and individual liberties, Madison's amendments partially swung the federalist pendulum back in an antifederalist direction. (See Amendments I–X.)

### Evolution of the Cabinet

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<thead>
<tr>
<th>Position</th>
<th>Date Established</th>
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<tr>
<td>Secretary of state</td>
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<td>Secretary of Treasury</td>
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<td>Secretary of war</td>
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<td>Attorney general</td>
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<td>Secretary of navy</td>
<td>1798</td>
<td>loses cabinet status, 1947</td>
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<td>Postmaster general</td>
<td>1829</td>
<td>not head of Justice Dept. until 1870</td>
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<td>Secretary of interior</td>
<td>1849</td>
<td>loses cabinet status, 1947</td>
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<td>Secretary of agriculture</td>
<td>1889</td>
<td>loses cabinet status, 1970</td>
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<tr>
<td>Secretary of commerce and labor</td>
<td>1903</td>
<td>office divided, 1913</td>
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<tr>
<td>Secretary of commerce</td>
<td>1913</td>
<td>subordinate to this secretary, without cabinet rank, are secretaries of army, navy, and air force</td>
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<tr>
<td>Secretary of labor</td>
<td>1913</td>
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<tr>
<td>Secretary of defense</td>
<td>1947</td>
<td>loses cabinet status, 1979</td>
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<td>Secretary of health, education, and welfare</td>
<td>1953</td>
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<td>Secretary of housing and urban development</td>
<td>1965</td>
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<td>Secretary of transportation</td>
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<td>Secretary of education</td>
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<td>Secretary of veterans' affairs</td>
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The first Congress also nailed other newly sawed government planks into place. It created effective federal courts under the Judiciary Act of 1789. The act organized the Supreme Court, with a chief justice and five associates, as well as federal district and circuit courts, and established the office of attorney general. New Yorker John Jay, Madison's collaborator on The Federalist papers and one of the young Republic's most seasoned diplomats, became the first chief justice of the United States.

Hamilton Revives the Corpse of Public Credit

The key figure in the new government was still smooth-faced Treasury Secretary Alexander Hamilton, a native of the British West Indies. Hamilton's genius was unquestioned, but critics claimed he loved his adopted country more than he loved his countrymen. Doubts about his character and his loyalty to the republican experiment always swirled about his head. Hamilton regarded himself as a kind of prime minister in Washington's cabinet and on occasion thrust his hands into the affairs of other departments, including that of his archrival, Thomas Jefferson, who served as secretary of state.

A financial wizard, Hamilton set out immediately to correct the economic vexations that had crippled the Articles of Confederation. His plan was to shape the fiscal policies of the administration in such a way as to favor the wealthier groups. They, in turn, would gratefully lend the government monetary and political support. The new federal regime would thrive, the propertied classes would fatten, and prosperity would trickle down to the masses.

The youthful financier's first objective was to bolster the national credit. Without public confidence in the government, Hamilton could not secure the funds with which to float his risky schemes. He therefore boldly urged Congress to "fund" the entire national debt "at par" and to assume completely the debts incurred by the states during the recent war.

"Funding at par" meant that the federal government would pay off its debts at face value, plus accumulated interest—a then-enormous total of more than $54 million. So many people believed the infant Treasury incapable of meeting those obligations that government bonds had depreciated to ten or fifteen cents on the dollar. Yet speculators held fistfuls of them, and when Congress passed Hamilton's measure in 1790, they grabbed for more. Some of them galloped into rural areas ahead of the news, buying for a song the depreciated paper holdings of farmers, war veterans, and widows.

Hamilton was willing, even eager, to have the new government shoulder additional obligations. While pushing the funding scheme, he urged Congress to assume the debts of the states, totaling some $21.5 million.

The secretary made a convincing case for "assumption." The state debts could be regarded as a proper national obligation, for they had been incurred in the
war for independence. But foremost in Hamilton’s thinking was the belief that assumption would chain the states more tightly to the “federal chariot.” Thus the secretary’s maneuver would shift the attachment of wealthy creditors from the states to the federal government. The support of the rich for the national administration was a crucial link in Hamilton’s political strategy of strengthening the central government.

States burdened with heavy debts, like Massachusetts, were delighted by Hamilton’s proposal. States with small debts, like Virginia, were less charmed. The stage was set for some old-fashioned horse trading. Virginia did not want the state debts assumed, but it did want the forthcoming federal district—now the District of Columbia—to be located on the Potomac River. It would thus gain in commerce and prestige. Hamilton persuaded a reluctant Jefferson, who had recently come home from France, to line up enough votes in Congress for assumption. In return, Virginia would have the federal district on the Potomac. The bargain was carried through in 1790.

**Customs Duties and Excise Taxes**

The new ship of state thus set sail dangerously overloaded. The national debt had swelled to $75 million owing to Hamilton’s insistence on honoring the outstanding federal and state obligations alike. Anyone less determined to establish such a healthy public credit could have sidestepped $13 million in back interest and could have avoided the state debts entirely.

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*Authorized by the Constitution, Art. I, Sec. VIII, para. 17.

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**Hamilton’s Financial Structure Supported by Revenues**

But Hamilton, “Father of the National Debt,” was not greatly worried. His objectives were as much political as economic. He believed that within limits, a national debt was a “national blessing”—a kind of union adhesive. The more creditors to whom the government owed money, the more people there would be with a personal stake in the success of his ambitious enterprise. His unique contribution was to make a debt—ordinarily a liability—an asset for vitalizing the financial system as well as the government itself.

Where was the money to come from to pay interest on this huge debt and run the government? Hamilton’s first answer was customs duties, derived from a tariff. Tariff revenues, in turn, depended on a vigorous foreign trade, another crucial link in Hamilton’s overall economic strategy for the new Republic.

The first tariff law, imposing a low tariff of about 8 percent on the value of dutiable imports, was speedily passed by the first Congress in 1789, even before Hamilton was sworn in. Revenue was by far the main goal, but the measure was also designed to erect a low protective wall around infant industries, which bawled noisily for more shelter than they received. Hamilton had the vision to see that the industrial revolution would soon reach America, and he argued strongly in favor of more protection for the well-to-do manufacturing groups—another vital element in his economic program. But Congress was still dominated by the agricultural and commercial interests, and it voted only two slight increases in the tariff during Washington’s presidency.

Hamilton, with characteristic vigor, sought additional internal revenue and in 1791 secured from
Congress an excise tax on a few domestic items, notably whiskey. The new levy of seven cents a gallon was borne chiefly by the distillers who lived in the backcountry, where the wretched roads forced the farmer to reduce (and liquefy) bulky bushels of grain to horseback proportions. Whiskey flowed so freely on the frontier in the form of distilled liquor that it was used for money.

**Selling Wallpaper—and Manufacturing, 1800**
A Boston maker of wallpaper, Ebenezer Clough, incorporated on his company letterhead an endorsement of Alexander Hamilton's dream of a manufacturing nation.

The proposed bank would indeed be useful. But was it constitutional?

Jefferson, whose written opinion on this question Washington requested, argued vehemently against the bank. There was, he insisted, no specific authorization in the Constitution for such a financial octopus. He was convinced that all powers not specifically granted to the central government were reserved to the states, as provided in the about-to-be-ratified Bill of Rights (see Amendment X). He therefore concluded that the states, not Congress, had the power to charter banks. Believing that the Constitution should be interpreted "literally" or "strictly," Jefferson and his states' rights disciples zealously embraced the theory of "strict construction."

Hamilton, also at Washington's request, prepared a brilliantly reasoned reply to Jefferson's arguments. Hamilton in general believed that what the Constitution did not forbid it permitted; Jefferson, in contrast, generally believed that what it did not permit it forbade. Hamilton boldly invoked the clause of the Constitution that stipulates that Congress may pass any laws "necessary and proper" to carry out the powers vested in the various government agencies (see Art. I, Sec. VIII, para. 18). The government was explicitly empowered to collect taxes and regulate trade. In carrying out these basic functions, Hamilton argued, a national bank would be not only "proper" but "necessary." By inference or implication—that is, by virtue of "implied powers"—Congress would be fully justified in establishing the Bank of the United States. In short, Hamilton contended for a "loose" or "broad" interpretation of the Constitution. He and his federalist followers thus evolved the theory of "loose construction" by invoking the "elastic clause" of the Constitution—a precedent for enormous federal powers.

Hamilton's financial views prevailed. His eloquent and realistic arguments were accepted by Washington, who reluctantly signed the bank measure into law. This explosive issue had been debated with much heat in Congress, where the old North-South cleavage still lurked ominously. The most enthusiastic support for the bank naturally came from the commercial and financial centers of the North, whereas the strongest opposition arose from the agricultural South.

The Bank of the United States, as created by Congress in 1791, was chartered for twenty years. Located in Philadelphia, it was to have a capital of $10 million, one-fifth of it owned by the federal government. Stock was thrown open to public sale. To the agreeable surprise of Hamilton, a milling crowd oversubscribed in less than two hours, pushing aside many would-be purchasers.
The Whiskey Rebellion, which flared up in southwestern Pennsylvania in 1794, sharply challenged the new national government. Hamilton's high excise tax bore harshly on these homespun pioneer folk. They regarded it not as a tax on a frivolous luxury but as a burden on an economic necessity and a medium of exchange. Even preachers of the gospel were paid in "Old Monongahela rye." Rye and corn crops distilled into alcohol were more cheaply transported to eastern markets than bales of grain. Defiant distillers finally erected whiskey poles, similar to the liberty poles of anti-stamp tax days in 1765, and raised the cry "Liberty and No Excise." Boldly tarring and feathering revenue officers, they brought collections to a halt.

President Washington, once a revolutionary, was alarmed by what he called these "self-created societies." With the hearty encouragement of Hamilton, he summoned the militia of several states. Anxious moments followed the call, for there was much doubt as to whether men in other states would muster to crush a rebellion in a fellow state. Despite some opposition, an army of about thirteen thousand rallied to the colors, and two widely separated columns marched briskly forth in a gorgeous, leaf-tinted Indian summer, until knee-deep mud slowed their progress.

When the troops reached the hills of western Pennsylvania, they found no insurrection. The "Whiskey Boys" were overawed, dispersed, or captured. Washington, with an eye to healing old sores, pardoned the two small-fry convicted culprits.

The Whiskey Rebellion was minuscule—some three rebels were killed—but its consequences were mighty. George Washington's government, now substantially strengthened, commanded a new respect. Yet the foes of the administration condemned its brutal display of force—for having used a sledgehammer to crush a gnat.

Almost overnight, Hamilton's fiscal feats had established the government's sound credit rating. The Treasury could now borrow needed funds in the Netherlands on favorable terms.

But Hamilton's financial successes—funding, assumption, the excise tax, the bank, the suppression of the Whiskey Rebellion—created some political liabilities. All these schemes encroached sharply upon states' rights. Many Americans, dubious about the new Constitution in the first place, might never have approved it if they had foreseen how the states were going to be overshadowed by the federal colossus. Now, out of resentment against Hamilton's revenue-raising and centralizing policies, an organized opposition began to build. What once was a personal feud between Hamilton and Jefferson developed into a full-blown and frequently bitter political rivalry.

National political parties, in the modern sense, were unknown in America when George Washington took his inaugural oath. There had been Whigs and Tories, federalists and antifederalists, but these groups were factions rather than parties. They had sprung into existence over hotly contested special issues; they had faded away when their cause had triumphed or fizzled.

The Founders at Philadelphia had not envisioned the existence of permanent political parties. Organized opposition to the government—especially a democratic government based on popular consent—seemed tainted with disloyalty. Opposition to the government affronted the spirit of national unity that the glorious cause of the Revolution had inspired. The notion of a
formal party apparatus was thus a novelty in the 1790s, and when Jefferson and Madison first organized their opposition to the Hamiltonian program, they confined their activities to Congress and did not anticipate creating a long-lived and popular party. But as their antagonism to Hamilton stiffened, and as the amazingly boisterous and widely read newspapers of the day spread their political message, and Hamilton's, among the people, primitive semblances of political parties began to emerge.

The two-party system has existed in the United States since that time (see the table above). Ironically, in light of early suspicions about the very legitimacy of parties, their competition for power has actually proved to be among the indispensable ingredients of a sound democracy. The party out of power—"the loyal opposition"—traditionally plays the invaluable role of the balance wheel on the machinery of government, ensuring that politics never drifts too far out of kilter with the wishes of the people.

**Republicanism Triumphant** Artists often used classical motifs to celebrate the triumph in America of republicanism—a form of government they traced back to ancient Greece and Rome.
The Impact of the French Revolution

When Washington's first administration ended in early 1793, Hamilton's domestic policies had already stimulated the formation of two political camps—Jeffersonian Democratic-Republicans and Hamiltonian Federalists. As Washington's second term began, foreign-policy issues brought the differences between them to a fever pitch.

Only a few weeks after Washington's inauguration in 1789, the curtain had risen on the first act of the French Revolution. Twenty-six years were to pass before the seething continent of Europe collapsed into a peace of exhaustion. Few non-American events have left a deeper scar on American political and social life. In a sense the French Revolution was misnamed: it was a revolution that sent tremors through much of the Western world.

In its early stages, the upheaval was surprisingly peaceful, involving as it did a successful attempt to impose constitutional shackles on Louis XVI. The American people, loving liberty and deploring despotism, cheered. They were flattered to think that the outburst in France was but the second chapter of their own glorious Revolution, as to some extent it was. Only a few ultraconservative Federalists—fearing change, reform, and “leveling” principles—were from the outset dubious or outspokenly hostile to the “despicable mobocracy.” The more ardent Jeffersonians were overjoyed.

The French Revolution entered a more ominous phase in 1792, when France declared war on hostile Austria. Powerful ideals and powerful armies alike were on the march. Late in that year, the electrifying news reached America that French citizen armies had hurled back the invading foreigners and that France had proclaimed itself a republic. Americans enthusiastically sang “The Marseillaise” and other rousing French Revolutionary songs, and they renamed thoroughfares with democratic flare. King Street in New York, for example, became Liberty Street, and in Boston, Royal Exchange Alley became Equality Lane.

But centuries of pent-up poison could not be purged without baleful results. The guillotine was set up, the king was beheaded in 1793, the church was attacked, and the head-rolling Reign of Terror was begun. Back in America, God-fearing Federalist aristocrats nervously fingered their tender white necks and eyed the Jeffersonian masses apprehensively. Lukewarm Federalist
approval of the early Revolution turned, almost overnight, to heated talk of "blood-drinking cannibals."

Sober-minded Jeffersonians regretted the bloodshed. But they felt, with Jefferson, that one could not expect to be carried from "despotism to liberty in a feather bed" and that a few thousand aristocratic heads were a cheap price to pay for human freedom.

Such approbation was shortsighted, for dire peril loomed ahead. The earlier battles of the French Revolution had not hurt America directly, but now Britain was sucked into the contagious conflict. The conflagration speedily spread to the New World, where it vividly affected the expanding young American Republic. Thus was repeated the familiar story of every major European war, beginning with 1689, that involved a watery duel for control of the Atlantic Ocean. (See the table on p. 111.)

Ominously, the Franco-American alliance of 1778 was still on the books. By its own terms, it was to last "forever." It bound the United States to help the French defend their West Indies against future foes, and the booming British fleets were certain to attack these strategic islands.

Many Jeffersonian Democratic-Republicans favored honoring the alliance. Aflame with the liberal ideals of the French Revolution, red-blooded Jeffersonians were eager to enter the conflict against Britain, the recent foe, at the side of France, the recent friend. America owed France its freedom, they argued, and now was the time to pay the debt of gratitude.

But President George Washington, levelheaded as usual, was not swayed by the clamor of the crowd. Backed by Hamilton, he believed that war had to be avoided at all costs. Washington was coolly playing for enormous stakes. The nation in 1793 was militarily feeble, economically wobbly, and politically disunited. But solid foundations were being laid, and American cradles were continuing to rock a bumper crop of babies. Washington wisely reasoned that if America could avoid the broils of Europe for a generation or so, it would then be populous enough and powerful enough to assert its maritime rights with strength and success. Otherwise it might invite catastrophe. The strategy of delay—of playing for time while the birthrate fought America's battles—was a cardinal policy of the Founding Fathers.

It was based on a shrewd assessment of American strengths and weaknesses at this critical moment in the young Republic's history. Hamilton and Jefferson, often poles apart on other issues, were in agreement here.

Accordingly, Washington boldly issued his Neutrality Proclamation in 1793, shortly after the outbreak of war between Britain and France. This epochal document not only proclaimed the government's official neutrality in the widening conflict but sternly warned American citizens to be impartial toward both armed camps. As America's first formal declaration of aloofness from Old World quarrels, Washington's Neutrality Proclamation proved to be a major prop of the spreading isolationist tradition. It also proved to be enormously controversial. The pro-French Jeffersonians were enraged by the Neutrality Proclamation, especially by Washington's method of announcing it unilaterally, without consulting Congress. The pro-British Federalists were heartened.

Debate soon intensified. An impetuous, thirty-year-old representative of the French Republic, Citizen Edmond Genêt, had landed at Charleston, South Carolina. With unrestrained zeal he undertook to fit out privateers and otherwise take advantage of the existing Franco-American alliance. The giddy-headed envoy—all sail and no anchor—was soon swept away by his enthusiastic reception by the Jeffersonian Republicans. He foolishly came to believe that the Neutrality Proclamation did not reflect the true wishes of the American people, and he consequently embarked upon unneutral activity not authorized by the French alliance—including the recruitment of armies to invade Spanish Florida and Louisianna, as well as British Canada. Even Madison and Jefferson were soon disillusioned by his conduct.

After he threatened to appeal over the head of "Old Washington" to the sovereign voters, the president demanded Genêt's withdrawal, and the Frenchman was replaced by a less impulsive emissary.

Washington's Neutrality Proclamation clearly illustrates the truism that self-interest is the basic cement of alliances. In 1778 both France and America stood to gain; in 1793 only France. Technically, the Americans did not flout their obligation because France never officially called upon them to honor it. American neutrality in fact favored France. The French West Indies urgently needed Yankee foodstuffs. If the Americans had entered the war at France's side, the British fleets would have blockaded the American coast and cut off those essential supplies. America was thus much more useful to France as a reliable neutral provider than as a blockaded partner-in-arms.
Embroilments with Britain

President Washington's far-visioned policy of neutrality was sorely tried by the British. For ten long years, they had been retaining the chain of northern frontier posts on U.S. soil, all in defiance of the peace treaty of 1783. The London government was reluctant to abandon the lucrative fur trade in the Great Lakes region and also hoped to build up an Indian buffer state to contain the ambitious Americans. British agents openly sold firearms and firewater to the Indians of the Miami Confederacy, an alliance of eight Indian nations who terrorized Americans invading their lands. Little Turtle, war chief of the Miamis, gave notice that the confederacy regarded the Ohio River as the United States' northwestern, and their own southeastern, border. In 1790 and 1791, Little Turtle's braves defeated armies led by Generals Josiah Harmar and Arthur St. Clair, killing hundreds of soldiers and handing the United States what remains one of its worst defeats in the history of the frontier.

But in 1794, when a new army under General "Mad Anthony" Wayne routed the Miamis at the Battle of Fallen Timbers, the British refused to shelter Indians fleeing from the battle. Abandoned when it counted by their red-coated friends, the Indians soon offered Wayne the peace pipe. In the Treaty of Greenville, signed in August 1795, the confederacy gave up vast tracts of the Old Northwest, including most of present-day Indiana and Ohio. In exchange the Indians received a lump-sum payment of $20,000, an annual annuity of $9,000, the right to hunt the lands they had ceded, and, most important, what they hoped was recognition of their sovereign status. Although the treaty codified an unequal relationship, the Indians felt that it put some limits on the ability of the United States to decide the fate of Indian peoples.

On the sea frontier, the British were eager to starve out the French West Indies and naturally expected the United States to defend them under the Franco-American alliance. Hard-boiled commanders of the Royal Navy, ignoring America's rights as a neutral, struck savagely. They seized about three hundred American merchant ships in the West Indies, impressed scores of seamen into service on British vessels, and threw hundreds of others into foul dungeons.

These actions incensed patriotic Americans. A mighty outcry arose, chiefly from Jeffersonians, that America should once again fight George III in defense of its liberties. At the very least, it should cut off all supplies to its oppressor through a nationwide embargo. But the Federalists stoutly resisted all demands for drastic action. Hamilton's high hopes for economic development depended on trade with Britain. War with the world's mightiest commercial empire would pierce the heart of the Hamiltonian financial system.

Thomas Paine (1737–1809), then in France and resenting George Washington's anti-French policies, addressed the president in an open letter (1796) that reveals his bitterness:

"And as to you, sir, treacherous in private friendship (for so you have been to me, and that in the day of danger) and a hypocrite in public life, the world will be puzzled to decide, whether you are an apostate or an imposter; whether you have abandoned good principles, or whether you ever had any."

American Posts Held by the British After 1783

Jay's Treaty and Washington's Farewell

President Washington, in a last desperate gamble to avert war, decided to send Chief Justice John Jay to
London in 1794. The Jeffersonians were acutely unhappy over the choice, partly because they feared that so notorious a Federalist and Anglophile would sell out his country. Arriving in London, Jay gave the Jeffersonians further cause for alarm when, at the presentation ceremony, he routinely kissed the queen's hand.

Unhappily, Jay entered the negotiations with weak cards, which were further sabotaged by Hamilton. The latter, fearful of war with Britain, secretly supplied the British with the details of America's bargaining strategy. Not surprisingly, Jay won few concessions. The British did promise to evacuate the chain of posts on U.S. soil—a pledge that inspired little confidence, since it had been made before in Paris (to the same John Jay!) in 1783. In addition, Britain consented to pay damages for the recent seizures of American ships. But the British stopped short of pledging anything about future maritime seizures and impressments or about supplying arms to Indians. And they forced Jay to give ground by binding the United States to pay the debts still owed to British merchants on pre-Revolutionary accounts.

Jay's unpopular pact, more than any other issue, vitalized the newborn Democratic-Republican party of Thomas Jefferson. When the Jeffersonians learned of Jay's concessions, their rage was fearful to behold. The treaty seemed like an abject surrender to Britain, as well as a betrayal of the Jeffersonian South. Southern planters would have to pay the major share of the pre-Revolutionary debts, while rich Federalist shippers were collecting damages for recent British seizures. Jeffersonian mobs hanged, burned, and guillotined in effigy that "damn'd archtraitor, Sir John Jay." Even George Washington's huge popularity was compromised by the controversy over the treaty.

Jay's Treaty had other unforeseen consequences. Fearing that the treaty foreshadowed an Anglo-American alliance, Spain moved hastily to strike a deal with the United States. Pinckney's Treaty of 1795 with Spain granted the Americans virtually everything they demanded, including free navigation of the Mississippi and the large disputed territory north of Florida. (See the map on p. 175.)

Exhausted after the diplomatic and partisan battles of his second term, President Washington decided to retire. His choice contributed powerfully to establishing a two-term tradition for American presidents.* In his Farewell Address to the nation in 1796 (never delivered orally but printed in the newspapers), Washington strongly advised the avoidance of "permanent alliances" like the still-vexatious Franco-American Treaty of 1778. Contrary to general misunderstanding, Washington did not oppose all alliances, but favored only "temporary alliances" for "extraordinary emergencies." This was admirable advice for a weak and divided nation in 1796. But what is sound counsel for a young stripling may not apply later to a mature and muscular giant.

Washington's contributions as president were enormous, even though the sparkling Hamilton at times seemed to outshine him. The central government, its fiscal feet now under it, was solidly established. The West was expanding. The merchant marine was plowing the seas. Above all, Washington had kept the nation out of both overseas entanglements and foreign wars. The experimental stage had passed, and the presidential chair could now be turned over to a less impressive figure. But republics are notoriously ungrateful. When Washington left office in 1797, he was showered with the brickbats of partisan abuse, quite in contrast with the bouquets that had greeted his arrival.

Who should succeed the exalted "Father of His Country"? Alexander Hamilton was the best-known member of the Federalist party, now that Washington had bowed out. But his financial policies, some of which had fattened the speculators, had made him so unpopular that he could not hope to be elected president. The Federalists were forced to turn to Washington's vice president, the experienced but ungracious John Adams, a rugged chip off old Plymouth Rock. The Democratic-Republicans naturally rallied behind their master organizer and leader, Thomas Jefferson.

Political passions ran feverishly high in the presidential campaign of 1796. The lofty presence of Washington had hitherto imposed some restraints; now the lid was off. Cultured Federalists like Fisher Ames referred to the Jeffersonians as "fire-eating salamanders, poison-sucking toads." Federalists and Democratic-Republicans even drank their ale in separate taverns. The issues of the campaign, as it turned out, focused

*Not broken until 1940 by Franklin D. Roosevelt and made a part of the Constitution in 1951 by the Twenty-second Amendment. (See the Appendix.)
heavily on personalities. But the Jeffersonians again assailed the too-forceful crushing of the Whiskey Rebellion and, above all, the negotiation of Jay's hated treaty.

John Adams, with most of his support in New England, squeezed through by the narrow margin of 71 votes to 68 in the Electoral College. Jefferson, as runner-up, became vice president.* One of the ablest statesmen of his day, Adams at sixty-two was a stuffy figure. Sharp-featured, bald, relatively short (five feet seven inches), and thickset ("His Roundity"), he impressed observers as a man of stern principles who did his duty with stubborn devotion. Although learned and upright, he was a tactless and prickly intellectual aristocrat, with no appeal to the masses and with no desire to cultivate any. Many citizens regarded him with "respectful irritation."

The crusty New Englander suffered from other handicaps. He had stepped into Washington's shoes, which no successor could hope to fill. In addition, Adams was hated by Hamilton, who had resigned from the Treasury in 1795 and who now headed the war faction of the Federalist party, known as the "High Federalists." The famed financier even secretly plotted with certain members of the cabinet against the president, who had a conspiracy rather than a cabinet on his hands. Adams regarded Hamilton as "the most ruthless, impatient, artful, indefatigable and unprincipled intriguer in the United States, if not in the world." Most ominous of all, Adams inherited a violent quarrel with France—a quarrel whose gunpowder lacked only a spark.

*The possibility of such an inharmonious two-party combination in the future was removed by the Twelfth Amendment to the Constitution in 1804. (See the Appendix.)

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Unofficial Fighting with France

The French were infuriated by Jay's Treaty. They condemned it as the initial step toward an alliance with Britain, their perpetual foe. They further assailed the pact as a flagrant violation of the Franco-American
The XYZ Affair  When President Adams's envoys to Paris were asked to pay a huge bribe as the price of doing diplomatic business, humiliated Americans rose up in wrath against France. Here an innocent young America is being plundered by Frenchmen as John Bull looks on in amusement from across the English Channel.

Treaty of 1778. French warships, in retaliation, began to seize defenseless American merchant vessels, altogether about three hundred by mid-1797. Adding insult to outrage, the Paris regime haughtily refused to receive America's newly appointed envoy and even threatened him with arrest.

President Adams kept his head, temporarily, even though the nation was mightily aroused. True to Washington's policy of steering clear of war at all costs, he tried again to reach an agreement with the French and appointed a diplomatic commission of three men, including John Marshall, the future chief justice.

Adams's envoys, reaching Paris in 1797, hoped to meet Talleyrand, the crafty French foreign minister. They were secretly approached by three go-betweens, later referred to as X, Y, and Z in the published dispatches. The French spokesmen, among other concessions, demanded an unneutral loan of 32 million florins, plus what amounted to a bribe of $250,000, for the privilege of merely talking with Talleyrand.

These terms were intolerable. The American trio knew that bribes were standard diplomatic devices in Europe, but they gagged at paying a quarter of a million dollars for mere talk, without any assurances of a settlement. Negotiations quickly broke down, and John Marshall, on reaching New York in 1798, was hailed as a conquering hero for his steadfastness.

War hysteria swept through the United States, catching up even President Adams. The slogan of the hour became "Millions for defense, but not one cent for tribute." The Federalists were delighted at this unexpected turn of affairs, whereas all except the most rabid Jeffersonians hung their heads in shame over the misbehavior of their French friends.

War preparations in the United States were pushed along at a feverish pace, despite considerable Jeffersonian opposition in Congress. The Navy Department was created; the three-ship navy was expanded; the United States Marine Corps was reestablished (originally created in 1775, the Marine Corps had been disbanded at the end of the Revolutionary War). A new army of ten thousand men was authorized (but not fully raised).

Bloodshed was confined to the sea, and principally to the West Indies. In two and a half years of undeclared hostilities (1798–1800), American privateers and men-of-war of the new navy captured over eighty armed vessels flying the French colors, though several hundred Yankee merchant ships were lost to the enemy. Only a slight push, it seemed, might plunge both nations into a full-dress war.
Adams Puts Patriotism Above Party

Embattled France, its hands full in Europe, wanted no war. An outwitted Talleyrand realized that to fight the United States would merely add one more foe to his enemy roster. The British, who were lending the Americans cannon and other war supplies, were actually driven closer to their wayward cousins than they were to be again for many years. Talleyrand therefore let it be known, through roundabout channels, that if the Americans would send a new minister, he would be received with proper respect.

This French furor brought to Adams a degree of personal acclaim that he had never known before—and was never to know again. He doubtless perceived that a full-fledged war, crowned by the conquest of the Floridas and Louisiana, would bring new plaudits to the Federalist party—and perhaps a second term to himself. But the heady wine of popularity did not sway his final judgment. He, like other Founding Fathers, realized full well that war must be avoided while the country was relatively weak.

Adams unexpectedly exploded a bombshell when, early in 1799, he submitted to the Senate the name of a new minister to France. Hamilton and his war-hawk faction were enraged. But public opinion—Jeffersonian and reasonable Federalist alike—was favorable to one last try for peace.

America's envoys (now three) found the political skies brightening when they reached Paris early in 1800. The ambitious “Little Corporal,” the Corsican Napoleon Bonaparte, had recently seized dictatorial power. He was eager to free his hands of the American squabble so that he might continue to redraw the map of Europe and perhaps create a New World empire in Louisiana. The afflictions and ambitions of the Old World were again working to America's advantage.

After a great deal of haggling, a memorable treaty known as the Convention of 1800 was signed in Paris. France agreed to annul the twenty-two-year-old marriage of (in)convenience, but as a kind of alimony the United States agreed to pay the damage claims of American
shippers. So ended the nation’s only peacetime military alliance for a century and a half. Its troubled history does much to explain the traditional antipathy of the American people to foreign entanglements.

John Adams, flinty to the end, deserves immense credit for his belated push for peace, even though he was moved in part by jealousy of Hamilton. Adams not only avoided the hazards of war, but also unwittingly smoothed the path for the peaceful purchase of Louisiana three years later. He should indeed rank high among the forgotten purchasers of this vast domain. If America had drifted into a full-blown war with France in 1800, Napoleon would not have sold Louisiana to Jefferson on any terms in 1803.

President Adams, the bubble of his popularity pricked by peace, was aware of his signal contribution to the nation. He later suggested as the epitaph for his tombstone (not used), “Here lies John Adams, who took upon himself the responsibility of peace with France in the year 1800.”

The “lockjaw” Sedition Act, the last measure of the Federalist clampdown, was a direct slap at two priceless freedoms guaranteed in the Constitution by the Bill of Rights—freedom of speech and freedom of the press (First Amendment). This law provided that anyone who impeded the policies of the government or falsely defamed its officials, including the president, would be liable to a heavy fine and imprisonment. Severe though the measure was, the Federalists believed that it was justified. The verbal violence of the day was unrestrained, and foul-penned editors, some of them exiled aliens, vilified Adams’s anti-French policy in vicious terms.

Many outspoken Jeffersonian editors were indicted under the Sedition Act, and ten were brought to trial. All of them were convicted, often by packed juries swayed by prejudiced Federalist judges. Some of the victims were harmless partisans, who should have been spared the notoriety of martyrdom. Among them was Congressman Matthew Lyon (the “Spitting Lion”), who had earlier gained fame by spitting in the face of a Federalist. He was sentenced to four months in jail for writing of President Adams’s “unbounded thirst for ridiculous pomp, foolish adulation, and selfish avarice.” Another culprit was lucky to get off with a fine of $100 after he...
had expressed the wish that the wad of a cannon fired in honor of Adams had landed in the seat of the president's breeches.

The Sedition Act seemed to be in direct conflict with the Constitution. But the Supreme Court, dominated by Federalists, was of no mind to declare this Federalist law unconstitutional. (The Federalists intentionally wrote the law to expire in 1801, so that it could not be used against them if they lost the next election.) This attempt by the Federalists to crush free speech and silence the opposition party, high-handed as it was, undoubtedly made many converts for the Jeffersonians.

Yet the Alien and Sedition Acts, despite pained outcries from the Jeffersonians they muzzled, commanded widespread popular support. Anti-French hysteria played directly into the hands of witch-hunting conservatives. In the congressional elections of 1798–1799, the Federalists, riding a wave of popularity, scored the most sweeping victory of their entire history.

The Virginia (Madison) and Kentucky (Jefferson) Resolutions

Resentful Jeffersonians naturally refused to take the Alien and Sedition Laws lying down. Jefferson himself feared that if the Federalists managed to choke free speech and free press, they would then wipe out other precious constitutional guarantees. His own fledgling political party might even be stamped out of existence. If this had happened, the country might have slid into a dangerous one-party dictatorship.

Fearing prosecution for sedition, Jefferson secretly penned a series of resolutions, which the Kentucky legislature approved in 1798 and 1799. His friend and fellow Virginian James Madison drafted a similar but less extreme statement, which was adopted by the legislature of Virginia in 1798.

Both Jefferson and Madison stressed the compact theory—a theory popular among English political philosophers in the seventeenth and eighteenth centuries. As applied to America by the Jeffersonians, this concept meant that the thirteen sovereign states, in creating the federal government, had entered into a “compact,” or contract, regarding its jurisdiction. The national government was consequently the agent or creation of the states. Since water can rise no higher than its source, the individual states were the final judges of whether their agent had broken the “compact” by overstepping the authority originally granted. Invoking this logic, Jefferson's Kentucky resolutions concluded that the federal regime had exceeded its constitutional powers and that with regard to the Alien and Sedition Acts,
“nullification”—a refusal to accept them—was the "rightful remedy."

No other state legislatures, despite Jefferson’s hopes, fell into line. Some of them flatly refused to endorse the Virginia and Kentucky resolutions. Others, chiefly in Federalist states, added ringing condemnations. Many Federalists argued that the people, not the states, had made the original compact, and that it was up to the Supreme Court—not the states—to nullify unconstitutional legislation passed by Congress. This practice, though not specifically authorized by the Constitution, was finally adopted by the Supreme Court in 1803 (see p. 219).

The Virginia and Kentucky resolutions were a brilliant formulation of the extreme states’ rights view regarding the Union—indeed more sweeping in their implications than their authors had intended. They were later used by southerners to support nullification—and ultimately secession. Yet neither Jefferson nor Madison, as Founding Fathers of the Union, had any intention of breaking it up: they were groping for ways to preserve it. Their resolutions were basically campaign documents designed to crystallize opposition to the Federalist party and to unseat it in the upcoming presidential election of 1800. The only real nullification that Jefferson had in view was the nullification of Federalist abuses.

Federalists Versus Democratic-Republicans

As the presidential contest of 1800 approached, the differences between Federalists and Democratic-Republicans were sharply etched (see the table on p. 208). As might be expected, most federalists of the pre-Convention period (1787-1789) became Federalists in the 1790s. Largely welded by Hamilton into an effective group by 1793, they openly advocated rule by the “best people.” “Those who own the country,” remarked Federalist John Jay, “ought to govern it.” With their intellectual arrogance and Tory tastes, Hamiltonians distrusted full-blown democracy as the fountain of all mischiefs and feared the “swayability” of the untutored common folk.

Hamiltonian Federalists also advocated a strong central government with the power to crush democratic excesses like Shays’s Rebellion, protect the lives and estates of the wealthy, subordinate the sovereignty-loving states, and promote foreign trade. They believed that government should support private enterprise but not interfere with it. This attitude came naturally to the merchants, manufacturers, and shippers along the Atlantic seaboard, who made up the majority of Federalist support. Farther inland, few Hamiltonians dwelled.

The hinterland was largely anti-Federalist territory. Leading the anti-Federalists, who came eventually to be known as Democratic-Republicans or sometimes simply Republicans, was Thomas Jefferson. His rivalry with Hamilton defined the archetypal conflict in American political history. The two leaders appealed to different constituencies and expressed different theories of society, politics, and diplomacy.

Lanky and relaxed in appearance, lacking personal aggressiveness, weak-voiced, and unable to deliver a rabble-rousing speech, Jefferson became a master political organizer through his ability to lead people rather than drive them. His strongest appeal was to the middle class and to the underprivileged—the “dirt” farmers, the laborers, the artisans, and the small shopkeepers.

Liberal-thinking Jefferson, with his aristocratic head set on a farmer’s frame, was a bundle of inconsistencies. By one set of tests, he should have been a Federalist, for he was a Virginia aristocrat and slave-owner who lived in an imposing hilltop mansion at Monticello. A so-called traitor to his own upper class, Jefferson cherished uncommon sympathy for the common people, especially the downtrodden, the oppressed, and the persecuted. As he wrote in 1800, “I have sworn upon the altar of God eternal hostility against every form of tyranny over the mind of man.”

Jeffersonian Republicans demanded a weak central regime. They believed that the best government was the one that governed least. The bulk of the power, Jefferson argued, should be retained by the states. There the people, in intimate contact with local affairs, could keep a more vigilant eye on their public servants. Otherwise a dictatorship might develop. Central authority—a kind of necessary evil—was to be kept at a minimum through a strict interpretation of the Constitution. The national debt, which he saw as a curse illegitimately bequeathed to later generations, was to be paid off.

Jeffersonian Republicans, themselves primarily agrarians, insisted that there should be no special privileges for special classes, particularly manufacturers.
Agriculture, to Jefferson, was the favored branch of the economy and formed the foundation of his political thought. “Those who labor in the earth are the chosen people of God,” he said. Most of his followers naturally came from the agricultural South and Southwest.

Above all, Jefferson advocated the rule of the people. But he did not propose thrusting the ballot into the hands of every adult white male. He favored government for the people, but not by all the people—only by those white men who were literate enough to inform themselves and wear the mantle of American citizenship worthily. Universal education would have to precede universal suffrage. The ignorant, he argued, were incapable of self-government. But he had profound faith in the reasonableness and teachableness of the masses and in their collective wisdom when taught.

Landlessness among American citizens threatened popular democracy as much as illiteracy, in Jefferson’s eyes. He feared that propertyless dependents would be political pawns in the hands of their landowning superiors. How could the emergence of a landless class of voters be avoided? The answer, in part, was by slavery. A system of black slave labor in the South ensured that white yeoman farmers could remain independent landowners. Without slavery, poor whites would have to provide the cheap labor so necessary for the cultivation of tobacco and rice, and their low wages would preclude their ever owning property. Jefferson thus tortuously reconciled slaveholding—his own included—with his more democratic impulses.

Yet for his time, Jefferson’s confidence that white, free men could become responsible and knowledgeable citizens was open-minded. He championed their freedom of speech, for without free speech, the misdeeds of tyranny could not be exposed. Jefferson even dared to say that given the choice of “a government without newspapers” and “newspapers without a government,” he would opt for the latter. Yet no other American leader, except perhaps Abraham Lincoln, ever suffered more foul abuse from editorial pens; Jefferson might well have prayed for freedom from the Federalist press.

Differences over foreign policy defined another sharp distinction between Hamilton and Jefferson. Hamilton looked outward and eastward. He sought to build a strong national state that would assert and expand America’s commercial interests. “No Government
Jefferson's Republic

Thomas Jefferson at Natural Bridge, by Caleb Boyle, c. 1801. A great statesman, he wrote his own epitaph: “Here was buried Thomas Jefferson, Author of the Declaration of Independence, of the Statute of Virginia for Religious Freedom, and Father of the University of Virginia.”

Thomas Jefferson’s vision of a republican America was peopled with virtuous farmers, not factory hands. As early as 1784, he wrote,

“While we have land to labor then, let us never wish to see our citizens occupied at a work-bench, or twirling a distaff. . . . For the general operations of manufacture, let our workshops remain in Europe. . . . The mobs of great cities add just so much to the support of pure government, as sores do to the strength of the human body.”

Revolution, rather than applaud the reaction of the British Tories. Jefferson, in effect, faced inward and westward. His priorities were to protect and strengthen democracy at home, especially in the frontier regions beyond the Appalachians, rather than flex America’s muscles abroad.

So as the young Republic’s first full decade of nationhood came to a close, the Founders’ hopes seemed already imperiled. Conflicts over domestic politics and foreign policy undermined the unity of the Revolutionary era and called into question the very viability of the American experiment in democracy. As the presidential election of 1800 approached, the danger loomed that the fragile and battered American ship of state, like many another before it and after it, would founder on the rocks of controversy. The shores of history are littered with the wreckage of nascent nations torn asunder before they could grow to a stable maturity. Why should the United States expect to enjoy a happier fate?

could give us tranquility and happiness at home,” he declared, “which did not possess sufficient stability and strength to make us respectable abroad.” Foreign trade, especially with Britain, was a key cog in Hamilton’s fiscal machinery, and friendship with Britain was thus indispensable. Jeffersonian Republicans, unlike the Federalist “British boot-lickers,” were basically pro-French. They earnestly believed that it was to America’s advantage to support the liberal ideals of the French Revolution, rather than applaud the reaction of the British Tories.
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<td>Constitution formally put into effect&lt;br&gt;Judiciary Act of 1789&lt;br&gt;Washington elected president&lt;br&gt;French Revolution begins</td>
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<td>1790</td>
<td>First official census</td>
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<td>1791</td>
<td>Bill of Rights adopted&lt;br&gt;Vermont becomes fourteenth state&lt;br&gt;Bank of the United States created&lt;br&gt;Excise tax passed</td>
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<td>1792</td>
<td>Washington reelected president</td>
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<td>1792-1793</td>
<td>Federalist and Democratic-Republican parties formed</td>
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<td>1793</td>
<td>Louis XVI beheaded; radical phase of French Revolution&lt;br&gt;France declares war on Britain and Spain&lt;br&gt;Washington's Neutrality Proclamation&lt;br&gt;Citizen Genét affair</td>
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<td>1794</td>
<td>Whiskey Rebellion&lt;br&gt;Battle of Fallen Timbers&lt;br&gt;Jay's Treaty with Britain</td>
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<td>1795</td>
<td>Treaty of Greenville: Indians cede Ohio&lt;br&gt;Pinckney's Treaty with Spain</td>
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<td>1797</td>
<td>Adams becomes president&lt;br&gt;XYZ Affair</td>
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For further reading, see the Appendix. For web resources, go to www.cengage.com/highered.