

wisdom and modesty. Then with that dignity which always marked his conduct he surrendered his commission as commander-in-chief of the American army. General Mifflin, the president of Congress, responded in an eloquent manner, and then the hero retired to his home at Mount Vernon. The man whom, the year before, some disaffected soldiers were going to make king of America, now, by his own act, became a citizen of the Republic.

CHAPTER XLV.

CONFEDERATION AND UNION.

DURING the progress of the Revolution the civil government of the United States was in a deplorable condition. Nothing but the imminent peril of the country had, in the first place, led to the calling of a Continental Congress. And when that body assembled, it had no method of proceeding, no constitution, no power of efficient action. The two great wants of the country were *money* to carry on the war and a *central authority* to direct the war: the former of these was never met; and Washington was made to supply the latter. Whenever Congress would move in the direction of a firmer government, division would spring up, and action would be checked by the remonstrance of jealous colonies. Nevertheless, the more far-seeing statesmen of the times labored constantly to create substantial political institutions.

Foremost of all those who worked for better government was Benjamin Franklin. As early as the times of the French and Indian War he began to agitate the question of a permanent union of the colonies. During the troubled years just preceding the Revolution he brooded over his cherished project, and in 1775 laid before Congress the plan of a perpetual confederation of the States. But the attention of that body was wholly occupied with the stirring events of the day, and Franklin's measure received but little notice. Congress, without any real authority, began to conduct the government, and its legislation was generally accepted by the States. Still, the central authority was only an authority by sufferance, and was liable at any time to be annulled by the caprice of State legislatures.

Under such a system thinking men grew restless. On the 11th of June, 1776, a committee was appointed by Congress to prepare a plan

of confederation. After a month the work was completed and laid before the house. Another month was spent in fruitless debates, and then the question was laid over till the following spring. In April of 1777 the discussion was resumed, and continued through the summer. Meanwhile, the power of Great Britain being overthrown, the States had all adopted republican governments, and the sentiment of national union had made considerable headway. Finally, on the 15th of November, a vote was taken in Congress, and the articles of confederation reported by the committee were adopted. The next step was to transmit the articles to the several State legislatures for ratification. The time thus occupied extended to the following June, and then the new frame of government was returned to Congress with many amendments. These having been considered and the most serious objections removed, the articles were signed by the delegates of eight States on the 9th of July, 1778. Later in the same month the representatives of Georgia and North Carolina affixed their signatures. In November the delegates of New Jersey, and in the following February those of Delaware, signed the compact. Maryland held aloof; and it was not until March of 1781 that the consent of that commonwealth could be obtained. Thus the Revolution was nearly ended before the new system was finally ratified.

The government of the United States under the articles of confederation was a democratic republic. It presented itself under the form of a **LOOSE UNION OF INDEPENDENT COMMONWEALTHS**—a confederacy of sovereign States. The executive and legislative powers of the general government were vested in Congress—a body composed of not less than two nor more than seven representatives from each State. But Congress could exercise no other than *delegated powers*; the sovereignty was reserved to the States. The most important of the exclusive privileges of Congress were the right of making war and peace, the regulation of foreign intercourse, the power to receive and send ambassadors, the control of the coinage of money, the settlement of disputed boundaries and the care of the public domain. There was no chief magistrate of the Republic; and no general judiciary was provided for. The consent of nine States was necessary to complete an act of legislation. In voting each State cast a single ballot. The union of the States was declared to be perpetual.

On the day of the ratification of the articles by Maryland the old Congress adjourned, and on the following morning reassembled under the new form of government. From the very first the inadequacy of that government was manifest. To begin with, it contradicted the doctrines of the Declaration of Independence. Congress had but a shadow of

authority, and that shadow, instead of proceeding from the people emanated from States which were declared to be sovereign and independent. The first great duty of the new government was to provide for the payment of the war debt, which had now reached the sum of thirty-eight million dollars. Congress could only recommend to the several States the levying of a sufficient tax to meet the indebtedness. Some of the States made the required levy; others were dilatory; others refused. At the very outset the government was balked and thwarted. The serious troubles that attended the disbanding of the army were traceable rather to the inability than to the indisposition of Congress to pay the soldiers. The princely fortune of Robert Morris was exhausted and himself brought to poverty in a vain effort to sustain the credit of the government. For three years after the treaty of peace public affairs were in a condition bordering on chaos. The imperiled state of the Republic was viewed with alarm by the sagacious patriots who had carried the Revolution to a successful issue. It was seen that unless the articles of confederation could be replaced with a better system the nation would go to ruin.

The project of remodeling the government originated at Mount Vernon. In 1785, Washington, in conference with a company of statesmen at his home, advised the calling of a convention to meet at Annapolis in the following year. The proposition was received with favor; and in September of 1786 the representatives of five States assembled. The question of a tariff on imports was discussed; and then the attention of the delegates was turned to a revision of the articles of confederation. Since only a minority of the States were represented in the conference, it was resolved to adjourn until May of the following year, and all the States were urgently requested to send representatives at that time. Congress also invited the several legislatures to appoint delegates to the proposed convention. All of the States except Rhode Island responded to the call; and on the second Monday in May, 1787, the representatives assembled at Philadelphia. Washington, who was a delegate from Virginia, was chosen president of the convention. A desultory discussion followed until the 29th of the month, when Edmund Randolph introduced a resolution to set aside the articles of confederation and adopt a new constitution. There was further debate; and then a committee was appointed to revise the articles. Early in September the work was done; the report of the committee was adopted; and that report was THE CONSTITUTION OF THE UNITED STATES.* At the same time it was resolved to send copies of the new instrument to the several legislatures for ratification or rejection.

* The Constitution was written by Gouverneur Morris, of Pennsylvania.

While the constitutional convention was in session at Philadelphia the last colonial Congress was sitting in New York. The latter body was in a feeble and distracted condition. Only eight States were represented. It was evident that the old Confederation, under which the colonies had won their freedom, was tottering to its fall.

Nevertheless, before the adjournment of Congress, a measure was successfully carried through which was only second in importance to the formation of the constitution. This was the organization of THE NORTH-WESTERN TERRITORY. As a preliminary measure this vast domain was ceded to the United States by Virginia, New York, Massachusetts, and Connecticut. For the government of the territory an ordinance, drawn up by Mr. Jefferson, was adopted on the



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13th of July, 1787. General Arthur St. Clair, then president of Congress, received the appointment of military governor, and in the summer of the following year began his duties with headquarters at Marietta. By the terms of the ordinance it was stipulated that not less than three nor more than five States should be formed out of the great territory thus brought under the dominion of civilization; that the States when organized should be admitted on terms of equality with the original members of the confederation, and that slavery should be prohibited. Out of this noble domain the five great States of Ohio, Indiana, Illinois, Michigan, and Wisconsin were destined in after times to be formed and added to the Union.

On the question of adopting the Constitution the people were divided. It was the first great political agitation in the country. Those who favored the new frame of government were called FEDERALISTS; those who opposed, ANTI-FEDERALISTS or REPUBLICANS. The leaders of the former party were Washington, Jay, Madison, and

Hamilton, the latter statesman throwing the whole force of his genius and learning into the controversy. In those able papers called the *Federalist* he and Madison successfully answered every objection of the anti-Federal party. Hamilton was the first and perhaps the greatest expounder of constitutional liberty in America. To him the Republic owes a debt of perpetual gratitude for having established on a firm and enduring basis the true principles of free government.

Under the Constitution of the United States the powers of government are arranged under three heads—LEGISLATIVE, EXECUTIVE, and JUDICIAL. The legislative power is vested in Congress—a body composed of a Senate and a House of Representatives. The members of the Senate are chosen by the legislatures of the several States, and serve for a period of six years. Each State is represented by two Senators. The members of the House of Representatives are elected by the people of the respective States; and each State is entitled to a number of representatives proportionate to the population of that State. The members of this branch are chosen for a term of two years. Congress is the law-making power of the nation; and all legislative questions of a general character are the appropriate subjects of congressional action.

The executive power of the United States is vested in a President, who is chosen for a period of four years by a body of men called the electoral college. The electors composing the college are chosen by the people of the several States; and each State is entitled to a number of electors equal to the number of its representatives and senators in Congress. The duty of the President is to enforce the laws of Congress in accordance with the Constitution. He is commander-in-chief of the armies and navies of the United States. Over the legislation of Congress he has the power of veto; but a two-thirds congressional majority may pass a law without the President's consent. He has the right of appointing cabinet officers and foreign ministers; but all of his appointments must be approved by the Senate. The treaty-making power is also lodged with the President; but here again the concurrence of the Senate is necessary. In case of the death, resignation, or removal of the President, the Vice-President becomes chief magistrate; otherwise his duties are limited to presiding over the Senate.

The judicial power of the United States is vested in a supreme court and in inferior courts established by Congress. The highest judicial officer is the chief-justice. All the judges of the supreme and inferior courts hold their offices during life or good behavior. The jurisdiction of these courts extends to all causes arising under the

Constitution, laws, and treaties of the United States. The right of trial by jury is granted in all cases except the impeachment of public officers. Treason against the United States consists only in levying war against them, or in giving aid and comfort to their enemies.

The Constitution further provides that full faith shall be given in all the States to the records of every State; that the citizens of any State shall be entitled to the privileges of citizens in all the States; that new territories may be organized and new States admitted into the Union; that to every State shall be guaranteed a republican form of government; and that the Constitution may be altered or amended whenever the same is proposed by a two-thirds majority of both houses of Congress, and ratified by three-fourths of the legislatures of the several States. In accordance with this last provision fifteen amendments have been made to the Constitution. The most important of these are the articles which guarantee religious freedom; change the method of electing President and Vice-President; abolish slavery; and forbid the abridgment of suffrage on account of race or color.*

Such was the Constitution adopted, after much debate, for the government of the American people. Would the people ratify it? or had the work been done in vain? The little State of Delaware was first to answer the question. In her convention on the 3d of December, 1787, the voice of the commonwealth was *unanimously* recorded in favor of the new Constitution. Ten days later Pennsylvania gave her decision by a vote of forty-six to twenty-three in favor of ratification. On the 19th of December New Jersey added her approval *by a unanimous vote*; and on the 2d of the following month Georgia did the same. On the 9th of January the Connecticut convention followed, with a vote of a hundred and twenty-eight to forty, in favor of adoption. In Massachusetts the battle was hard fought and barely won. A ballot, taken on the 6th of February, resulted in ratification by the close vote of a hundred and eighty-seven to a hundred and sixty-eight. This really decided the contest. On the 28th of April Maryland rendered her decision by the strong vote of sixty-three to twelve. Next came the ratification of South Carolina by a vote of a hundred and forty-nine to seventy-three. In the New Hampshire convention there was a hard struggle, but the vote for adoption finally stood fifty-seven to forty-six, June 21st, 1788. This was the *ninth State*, and the work was done. For, by its own terms, the new government was to go into operation when nine States should ratify. The great commonwealth of Virginia still hesitated. Washington and

* See Appendix F.

Madison were for the Constitution; but Jefferson and Henry were opposed. Not until the 25th of June did her convention declare for adoption, and then only by a vote of eighty-nine to seventy-nine. It was now clear that the new government would be organized, and this fact was brought to bear as a powerful argument in favor of adoption by the convention at Poughkeepsie. The hope that New York city would be the seat of the Federal government also acted as a motive, and a motion to ratify was finally carried, July 27th, 1788. Only Rhode Island and North Carolina persisted in their refusal. But in the latter State a new convention was called, and on the 13th of November, 1789, the Constitution was formally adopted. As to Rhode Island, her pertinacity was in inverse ratio to her importance. At length Providence and Newport seceded from the commonwealth; the question of dividing the territory between Massachusetts and Connecticut was raised, and the refractory member at last yielded by adopting the Constitution, May 29th, 1790. Then, for the first time, the English-speaking race in the New World was united under a common government—strong enough for safety, liberal enough for freedom.

In accordance with the provisions of the Constitution and a resolution of Congress, the first Wednesday of January, 1789, was named as the time for the election of a chief magistrate. The people had but one voice as to the man who should be honored with that trust. Early in April the ballots of the electors were counted in the presence of Congress, and George Washington was unanimously chosen President and John Adams Vice-President of the United States. On the 14th of the month Washington received notification of his election, and departed for New York. His route thither was a constant triumph. Maryland welcomed him at Georgetown. Philadelphia by her executive council, the trustees of her university, and the officers of the Cincinnati, did him honor. How did the people of Trenton exult in the presence of the hero who twelve years before had fought their battle! There over the bridge of the Assanpink they built a triumphal arch, and girls in white ran before, singing and strewing the way with flowers. At Elizabethtown he was met by the principal officers of the government and welcomed to the capital where he was to become the first chief magistrate of a free and grateful people. With this auspicious event the period of revolution and confederation ends, and the era of nationality in the New Republic is ushered in. Long and glorious be the history of that Republic; bought with the blood of patriots, and consecrated in the sorrows of our fathers!

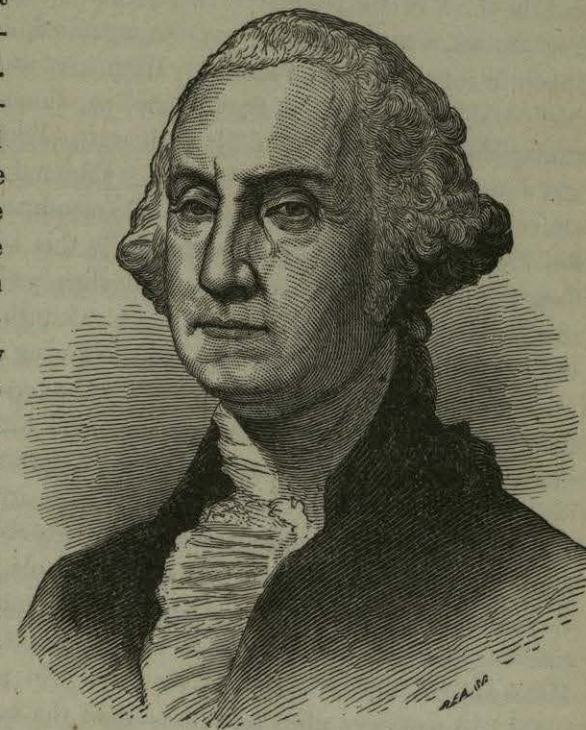
PART V. NATIONAL PERIOD.

A. D. 1789—1882.

CHAPTER XLVI.

WASHINGTON'S ADMINISTRATION, 1789—1797.

ON the 30th of April, 1789, Washington was duly inaugurated first President of the United States. The new government was to have gone into operation on the 4th of March, but the event was considerably delayed. The inaugural ceremony was performed on the balcony of the old City Hall, on the present site of the Custom-House, in Wall street. Chancellor Livingston of New York administered the oath of office. The streets and house-tops were thronged with people; flags fluttered; cannon boomed from the Battery. As soon as the public ceremony was ended, Washington retired to the Senate chamber and delivered his inaugural address. The organization of the two houses of Congress had already been effected.



WASHINGTON.