CHAPTER XXVI.

After the organization of the national government under the new Constitution, and the unanimous election of General Washington to the presidency of the Republic, there was a remarkable lull in party strife. For a moment, the disputes about the principles contained in the Constitution almost ceased, and there seemed to be a general disposition, not only to acquiesce in the new order of things, but to give a hearty support to the government. This disposition was observed, not only in the State of New York, but throughout the Union. A few days after the ratification of the Constitution, at Poughkeepsie, Judge Yates, who had opposed it in the National and State conventions, said, in his charge to the grand jury, at Albany:

"Before the Constitution was ratified, I had been opposed to it; it is now mine and every other man's duty to support it."

And a few days after his inauguration as President, in the spring of 1789, Washington wrote to General Schuyler:

"The good dispositions which seem at present to pervade every class of people, afford reason for your observation* that the clouds which have long darkened our political hemisphere are now dispersing, and that America will soon feel the effects of her natural advantages. That invisible hand which has so often interposed to save our country from impending destruction, seems in no instance to have

* General Schuyler had written a letter to Washington, on the 2d of May, 1789, congratulating him on his accession to the Presidency, and expressing his hearty good wishes for the success of his administration.

been more remarkably exerted than in that of disposing the people of this extensive continent to adopt, in a peaceable manner, a Constitution which, if well administered, bids fair to make America a happy nation."*

But this serenity was only like the ominous calm which frequently precedes a more furious outburst of the storm. It was not long before party strife became more violent than ever throughout the country, and especially in the State of New York, where party lines were sharply drawn. General Schuyler, Mr. Jay and Colonel Hamilton were the chief leaders of the Federal party in that State, and they had great influence with Washington. Schuyler and Hamilton were uncompromising partisans, as all men of strong moral convictions are apt to be, and they induced the President to bestow government patronage upon men who were, either personally or politically, opposed to Governor Clinton. Jay was appointed Chief-Justice of the United States; James Duane, Judge of the District of New York; Richard Harrison, United States Attorney; and William S. Smith, Marshal. These men were all active opponents of Governor Clinton. Hamilton, who was the soul of the Federal party, was called to a seat in Washington's cabinet, as Secretary of the Treasury.

The form of government embodied in the first Constitution of the State of New York was less Democratic than that of any other State, and placed an immense amount of power and patronage in the hands of the Governor. With this advantage, Governor Clinton and his friends were enabled to carry on a political warfare successfully for a long time, against the Federalists. But the Constitution afforded a check upon an undue exercise of that power, when bearing upon the control of offices, by a provision

* Autograph Letter, May 9, 1789.

for a Council of Appointment. That Council was created by the choice of the Assembly out of each Senatorial district, of one Senator each year, and these, with the Governor, formed the Council of Appointment. The Governor had a right to give a casting vote, but had no vote for any other purpose. He was ex-officio President of the Council, and was required, "with the advice and consent of the Council, to appoint all officers," whose appointment was not otherwise provided for by the Constitution. All civil and military officers from the heads of departments, Chancellor and Judges of the Supreme Court, down to and including all Justices of the Peace and auctioneers, with the exception of the State Treasurer and a few petty city and town officers, were appointed by the Governor, for he claimed and exercised the exclusive right of nomination.

General Schuyler was made a member of the Council of Appointment first in January, 1786. No Senator being eligible for two years consecutively, he was succeeded, in 1787, by Peter Schuyler. He was again a member of that Board in 1778, and again in 1790, and exercised a controlling influence there. His associates in 1788 were Jacob Swartwout, David Hopkins and Lewis Morris, a majority of whom were Federalists.

In December, 1788, the two houses of the Legislature of New York elected five delegates to represent the State in the Continental Congress, which was to expire on the fourth of March following. Party lines were sharply drawn, and Abraham Yates, Jr., David Gelston, Philip Pell, John Hathorn and Samuel Jones, all Anti-Federalists, were chosen. The vote was so close that it evinced a large Federal gain in the Legislature. The two houses could not agree on the method of choosing United States Senators,

and the State of New York was not represented in the higher branch of the National Congress at its first session; but the following year General Schuyler and Rufus King, both Federalists, were chosen to a seat in that body.

Afterward, Presidential electors were chosen, and the Legislature having provided for the election of six Representatives in the lower House of Congress, Egbert Benson, William Floyd, John Hathorn, Jeremiah Van Rensselaer and Peter Sylvester were elected the first members from New York, under the present Constitution.

Politics in New York now became mixed, and General Schuyler was one of the most active partisans on the Federalist's side. That party determined to form a coalition for the purpose of breaking the Anti-Federal ascendency, and they induced Robert Yates, an Anti-Federalist, to accept the nomination for Governor, in opposition to Clinton. Alexander Hamilton, Robert Troup, William Duane and Aaron Burr (the latter then becoming prominent as a shrewd and able politician, of easy political virtue), with others, formed a committee of correspondence, to promote the election of Yates. That gentleman hesitated awhile, because of the seeming inconsistency in which the course proposed would involve him, but his patriotic expression in his charge to the Grand Jury of Albany, already cited, was pointed to as a justification. A letter, written by General Schuyler and signed by him, General Tenbroeck, Philip Livingston and others, urging Yates to accept the nomination, caused that acceptance. Mr. Yates was not a pleasant pill for the staunch Federalists to swallow. They did so for a specific purpose, but the coalition was unsuccessful, and Clinton was elected by a handsome majority. The election took place in April, and, on the 19th of July,

the Legislature, by joint resolution, appointed General Schuyler and Rufus King, United States Senators. In January following [1790], General Schuyler was again chosen to be a member of the Council of Appointment. So, at the same time, he held three distinct public offices, namely: State Senator, United States Senator, and one of the Council of Appointment. Not long after his acceptance of the latter office, the Legislature perceived that it was incompatible with the National Constitution for him to hold seats in both Senates, and that occupied by him in the Senate of his State was declared vacant. This raised the question of his eligibility to a seat in the Council of Appointment, as he was no longer a State Senator. Schuyler insisted upon his right to sit there during the year for which he was appointed, and there appears no record of his removal.

In the National Senate, General Schuyler took decided ground in favor of Secretary Hamilton's funding system, and the creation of a National Bank. The most objectionable feature in Hamilton's scheme was the assumption, by the general government, of the public debts of the several States. The justice of such assumption, and the credit it would give the national government abroad, were important considerations, and General Schuyler and Mr. King both voted for the measure.

Schuyler having, in casting lots, drawn the shortest term in the National Senate, his seat became vacant on the 4th of March, 1791. He was a candidate for reëlection. Aaron Burr, whom Governor Clinton had appointed Attorney-general of the State, was his competitor, and he was nominated by a majority of five in the Assembly, and eight in the Senate. To the casual observer, this large majority in

the Senate, nominally Federal, against Schuyler, appears inexplicable. It is difficult to give exact reasons, but it seems probable that the rigid partisanship of the general, his austere and rather aristocratic deportment, and his intimate relations with Hamilton, whose popularity the wily Burr was already laboring to undermine, had made him personally unpopular with many who desired a cessation of political warfare. Opposed to Schuyler's high honor and integrity, his enlarged and liberal views as regarded the great interests of the country, and his commanding personal presence, was Burr's aptness for intrigue, fascination of address, the moderation of his party views, which had very little basis of principle, and his easy adaptation of the practice of being "all things to all men." By his winning address he found friends with both parties, and he made use of Schuyler's unpopular vote in favor of the assumption of the State debts, as a wedge for splitting the Federal unity in the State Senate. No doubt many of the Federalists did not vote on the appointment because they would not vote against Schuyler, for, of the twenty-four members of that house, only sixteen votes were given. Of these, twelve were for Burr. Burr's office of Attorney-general so becoming vacant, was then filled by the appointment of Morgan Lewis, who was connected, by marriage, with the Livingston family.

The French Revolution was now making fearful progress in the direction of anarchy. Mistaking French Democracy, which meant freedom from *all* restraint, to be the same as that calm and order-loving, patient, law-abiding Democracy which had overthrown monarchy in America, the people of the United States were largely disposed to sympathize with the French revolutionists. They had

been taught to regard the French people with affection, because they had been allies in their own revolutionary struggle; and when Mr. Jefferson came home from his mission to France, hot from the seething cauldron of Jacobinism in Paris, to take his seat in Washington's Cabinet as Secretary of State, and fully prepared to ask his countrymen to show practical sympathy with their old allies, he soon found himself at the head of a large party, standing in opposition to the administration of Washington. The conservatism of the President and his associates in the government, and their lack of enthusiasm on the subject of the French Revolution, which so filled his own heart and brain, were construed by Jefferson as indifference to the diffusion of Democratic ideas and the triumph of Republican principles, for which the patriots in the war for independence had contended. He had scarcely taken his seat in the Cabinet before he declared that some of his colleagues had decidedly monarchical views, and it became a settled belief in his mind that there was a party in the United States constantly at work, secretly, and sometimes openly, for the overthrow of republicanism. He agreed, in theory, with Thomas Paine, that a weak government and a strong people were the best guarantees of liberty to the citizen, and he contemplated all executive power with distrust. He thought he saw in the funding system arranged by Hamilton, and in the United States Bank and the Excise law—creations of Hamilton's brain—instruments for enslaving the people; and he affected to believe that the rights of the States and the liberties of the citizen were in danger. He even went so far as to charge his political opponents, and especially Hamilton, with corrupt and anti-republican designs, selfish motives and treacherous

intentions; and so was inaugurated that system of personal abuse and vituperation which have ever since disgraced the public press and political leaders. Then were crystallized into distinct form the opposing political opinions of the people of the United States, under the party names of FEDERALISTS and REPUBLICANS.

The dreadful Reign of Terror in France soon held Europe in awe. The successful Jacobins, in 1792, abolished the Constituent Assembly, and proclaimed themselves a National Convention, with full legislative and executive powers. They suspended the functions of the King; devised and put in motion schemes of conquest and propagandism; assumed to be the deliverers of Europe from kingly rule; abolished royalty in France, and proclaimed it a republic; and, early in 1793, murdered their King, in the presence of his people. They declared war against England, and fulminated threats against other nations; and in their mad egotism, they proposed to fight the world in defence of French democracy.

The contagion of that bloody revolution so poisoned the circulation of the political system of the United States that, strange as it may now appear, when the proclamation of the French Republic, with all its attendant horrors in view, and of war against other nations, was made known here, there was an outburst of popular feeling in favor of the Gallic cause, that seemed to be almost universal.

Then came "citizen" Genet, as the representative of the French Republic. He mistook the popular enthusiasm for the settled convictions of the people. He was warmly greeted by the republican leaders, but was chilled and irritated by the calm coolness of Washington, Hamilton,

and others of the Federal party in the government. He demanded the immediate and active practical alliance of the United States with France, and, for a moment, the people seemed willing to comply. The sagacious Washington and his thoughtful advisers saw dangers ahead. They had no confidence in the self-constituted rulers of France, nor in their system of government, and, on the 22d of April, 1793, the President issued a proclamation of neutrality, warning citizens of the United States not to take any part in the kindling war abroad.

This brought out all of the heavy batteries of the republican party, who assailed the President and his political friends with the most malignant rancor. The war of words, through the newspapers and in pamphlets, was waged fiercely, and Jefferson and Hamilton let fly at each other their sharpest arrows. In this war General Schuyler took an active part, on the Federalist side, and in public and private expressed his views on the French question vigorously and boldly. He wrote:

"I always abhorred the disposition of the French government before the revolution. I equally detest the measures of the present ruling powers, as unfriendly to the real liberties of the people, and tending to the worst of all tyrannies, a government of a single branch, consisting of many individuals, which must ever be exercised in prejudice and passion."*

Washington's neutrality proclamation was timely. Genet had come with blank commissions for privateers. Encouraged by the Republican party and the secret Democratic societies which had lately been formed, in imitation of the Jacobin clubs of Paris, he defied the government, treated the President's proclamation (which had been issued from Mount Vernon) with scorn, and proceeded to fit out privateers in American waters. One of

* Autograph Letter, May 12, 1793.

these, *L'Embuscade* (which brought Genet to this country), sailed out of the harbor of Charleston, manned principally by American citizens, came prowling up the coast, seizing several vessels, and finally capturing a fine British merchantman within the Capes of the Delaware, which was taken to Philadelphia, the seat of the national government, in triumphant attitude. *L'Embuscade* was cordially greeted at the wharves by the Republicans. "When the British colors were seen reversed," Jefferson wrote to Madison, "and the French flying above them, the people burst into peals of exultation." Bells rang, and cannon roared, as the French minister entered the city soon afterward, and he received addresses from societies and the citizens at large. In New York there were similar demonstrations of delight when Genet arrived, but there was a firm and dignified host of men who quietly upheld the President.

Genet's conduct aroused the indignation of Washington, and disgusted Mr. Jefferson; and when the former asked, "Is the minister of the French Republic to set the acts of the government at defiance, *with impunity?*" his Cabinet answered, unanimously, "No." Forbearance toward the insolent minister was no longer required, and, with the concurrence of his Cabinet, the President demanded his recall. It was done.

Mr. Jefferson's views concerning French affairs had now become much modified, especially after Genet had threatened to appeal from the President to the people—in other words, create an insurrection for the overthrow of the government. He literally discarded Genet, lowered his tone toward Hamilton, and at the end of the year left the Cabinet, and retired to private life. Genet never

returned to France. He remained in New York, married a daughter of Governor Clinton, and became an ornament to American society, for he was a man of eminent abilities, polished manners, and full of energy.

In the spring of 1793 the Federalists gained the ascendancy in the State of New York, and, early in 1795, Governor Clinton published a letter, addressed to the freeholders of his State, in which he declined being a candidate for Governor at the ensuing election, chiefly on account of ill-health. Mr. Hamilton was spoken of as the Federal candidate for his place, but he positively refused to accept the nomination. They nominated John Jay (then in Europe) for Governor, and Stephen Van Rensselaer (Schuyler's son-in-law) for Lieutenant-governor. Judge Yates was the opposing candidate for Governor, and was beaten by an overwhelming majority.

The election was held in April. It occurred while Mr. Jay's character as a diplomat was undergoing a very severe ordeal. For some time the haughty and unjust conduct of Great Britain toward the United States marine, and in omissions to carry out in good faith the provisions of the treaty of 1783, had been creating much discontent in the public mind, and, in the spring of 1794, it seemed as if war with that nation would be an inevitable event. To avert it was Washington's most anxious desire. He resolved to try negotiation, and he proposed to send Chief-justice Jay to London for the purpose, clothed with ample powers as Envoy-extraordinary, instructed to negotiate for a settlement of all disputes between the two governments. The Republicans, or Democrats, assailed the proposition as pusillanimous, and their secret societies were aroused to great activity. But the Senate confirmed the nomination

in April, and in May Mr. Jay sailed for England. His mission was partially successful. He accomplished less than his instructions directed him to ask for, yet the treaty which he concluded in November, 1794, was a long step in the direction of right, justice and national prosperity. The treaty, Mr. Jay and the administration were assailed with the coarsest and most violent abuse, and, when the Senate ratified it, the members of that body who voted in its favor were abused without stint. Bold attempts were made to intimidate the President, and prevent his signing it. A mob, in Philadelphia, paraded the streets, with effigies of Jay and the ratifying Senators, with labels insinuating that the Chief-justice had been bought with British gold; and, when Hamilton and others spoke publicly in favor of it at an open-air meeting, in New York, they were stoned, not only by a low mob, but by decent people.* "These are hard arguments," said Hamilton, who was hit a glancing blow upon the forehead by one of the stones. South Carolinians called Jay a traitor, and

* The late Dr. John W. Francis, in his "Old New York," says he was informed that Edward Livingston (afterward so celebrated for his Louisiana Code) was one of the violent young men by whom the stones were thrown. The Livingston family, with the Chancellor (Robert R. Livingston) at their head, had been ardent Federalists, and he was one of the most eloquent advocates of the ratification of the new Constitution in the convention at Poughkeepsie. For reasons not certainly known, he and his family had now changed their political position. It was asserted that the Chancellor was opposed to Hamilton's financial schemes as set forth in his reports as Secretary of the Treasury, and that he took a stand in opposition to that statesman as early as 1790. Judge Hammond says that he was informed "that *the family*, one evening, had a meeting for the purpose of deliberating on the subject, and that the result of their deliberations was such that the next morning every member of it took a position in the ranks of the Republican party." ["History of Political Parties in the State of New York," vol. i., p. 107.] Some of the Livingstons in Columbia county did not change with the Chancellor.

they longed for a guillotine for such as he, and burned a British flag at the door of the British Consul, in Charleston, while the Virginia politicians vehemently clamored for a dissolution of the Union.

Washington, unmoved by the terrible storm that raged around him, signed the treaty, and waited patiently for the tempest to pass by. It was the first act of the government which proved the stability and power of the National Constitution, and it was for a long time pointed to as a warrant for faith and hope.

Every obstacle was thrown in the way of giving force to the treaty, and the most persistent efforts of the Federalists in favor of it were necessary. General Schuyler worked incessantly to obtain an expression of public opinion, in the State of New York, in its favor. Public meetings were called; and, late in April, 1796, General Schuyler, as chairman of a committee at Albany, sent to town officers, all over the northern and western portions of the State, a petition, for the signatures of citizens, praying for the passage of laws for the full execution of the treaty. These were accompanied by the following circular letter:

"FRIENDS AND FELLOW-CITIZENS:

"Your attention is called to a subject involving your interest, your happiness and your peace. Appearances indicate that a disposition prevails in a majority of the House of Representatives of the United States not to make the requisite provision for carrying into effect the treaty lately concluded with Great Britain, although ratified on the part of the United States by the Constitutional authorities thereof.

"Should our apprehensions, excited by such a disposition, be verified, an expensive WAR, with all its attendant calamities, will probably be the result. Indeed, the very prospect of it has already diminished the price of our agricultural produce to a considerable extent--the depreciation will, doubtless, increase; while the price of the necessary foreign articles of consumption will certainly rise. Under these impressions, and others arising from circumstances equally important, the citizens of many of the States are preparing remonstrances on the

subject to the House of Representatives. The citizens of New York have already concluded on their address, and have recommended to you and to us to afford our aid on this serious occasion. The inclosed copies are now submitted for signature, by the citizens of this city, and will, we trust, meet with general approbation, as citizens of every political party are equally interested in the result.

"Will you please to lay it before the citizens of your town, for their determination, and, if it meets with their approbation, to entreat their signatures and, when signed, to transmit it at an early day to us.

By order: PH. SCHUYLER, *Chairman.*

Albany, April 23, 1796.

To the Supervisors, Assessors and Town-clerk of the Town of———, in the County of———.

The bitter feeling against the treaty was now beginning to subside, and laws were passed for carrying it into effect. The choice of Presidential electors absorbed men's minds for a while. Washington declined to be a candidate for a third term, and John Adams became his successor in the spring of 1797.

It was during the early part of 1796 that General Schuyler urged, in the Senate of New York, a plan for the improvement of the revenue of the State. He put forth his plan in pamphlet form. It contemplated the institution of the office of Comptroller, and that part of it was almost immediately adopted by the Legislature, and has been followed ever since. He clearly demonstrated that by the measures which he proposed, the surplus fund, beyond all reasonable wants, might, at the period of thirty years from that time, be made to accumulate to several million dollars. His arguments and suggestions received much attention, and many of the latter were put into practical operation, and with success.

The Federalist majority in the State continually increased, and, in the spring of 1797, General Schuyler was unanimously chosen to occupy a seat in the National Senate. He accordingly resigned his seat in the State Senate;

and, on the last day of March made a touching farewell address to the members of that body, who ordered it to be inserted, in full, in their journal. He said he had been forty years in the public service, and had determined to retire to private life when his term in the State Senate should expire, but that the recent appointment, and the manner in which it had been conferred on him, imposed on him an obligation to forego his private inclinations. He stated that his feelings were ardent in support of his political principles, but he declared that he retained no unkind impressions against those who differed from him in opinion in relation to public men or measures, and he trusted that his opponents entertained corresponding friendly sentiments toward him. He concluded his remarks with a fervent prayer for the preservation of our civil institutions and for the prosperity of the State.

General Schuyler was then suffering severely from the ravages of his life-long torturer, the gout. To Hamilton he wrote, on the 3d of April:

"I took my leave of the Senate on Friday. * * * * * I am not in good health; my wounds are opened afresh. I hope, however, to be able to go to Philadelphia."*

A few days later, he wrote to Hamilton:

"I am so much indisposed that I apprehend I shall not be able to attend Congress at the opening of the session, if at all."†

He went, however, but did not remain long. The pressure of ill-health compelled him to resign,‡ and he retired forever from the arena of public life; but, until the

* Autograph Letter. † Autograph Letter.

‡ In a written communication to the Legislature of New York, early in January, 1798, General Schuyler asked leave to resign, and, on the 12th of that month, the two houses nominated and appointed John Sloss Hobart, one of the Judges of the Supreme Court, to be his successor.

day of his death, he was an interested spectator of the events of that arena. He kept up an extensive correspondence with the leading men of the nation, in which he spoke freely of public men and measures, in a spirit of charity and justice; and his private correspondence with the members of his family exhibits the most beautiful traits of an affectionate kinsman and Christian gentleman. His correspondence with Washington was frequent, and, on the part of both, in the tone and spirit of intimate and loving friends. I here give one of the letters of the latter, as a specimen of that correspondence. It was written while Washington was in Philadelphia, upon the business of the army, to the chief command of which he had been called, in anticipation of a war with France:

"MY DEAR SIR:

"I have been honored with your letter of the 20th ult., and congratulate you very sincerely on the favorable change you have lately experienced (as I have been informed) in your health. I wish it may be perfectly restored.

"I persuade myself that it is unnecessary for me to add that if health and other circumstances had enabled you and Mrs. Schuyler to have visited Mrs. Washington and myself, at Mount Vernon, that it would have been considered as a most pleasing and flattering evidence of your regard; and the more so as neither she nor I ever expected to be more than twenty-five miles from that retreat during the remainder of our lives.

"But, strange to relate, here I am! busied with scenes far removed and foreign from anything I had contemplated when I quitted the chair of government.

"Your grandson, Mr. Church,* has all the exterior of a fine young man, and, from what I have heard of his intellect and principles, will do justice to and reward the precepts he has received from yourself, his parents and uncle Hamilton. So far, then, as my attention to him will go, consistent with my other duties, he may assuredly count upon.

"I pray you to present me (and I am sure Mrs. Washington would unite in them if she were here) to Mrs. Schuyler, in the most respect-

* Son of General Schuyler's eldest daughter, Angelica, whose marriage is noticed on page 206.

ful terms; and let me pray you to be assured of the sincere esteem, regard and wishes of the most affectionate kind, of, dear sir,

Your most obedient and very humble servant,

G. WASHINGTON.*

* Autograph Letter, dated at Philadelphia, December 4, 1798.