

*The book describes how Presidents Washington, Jefferson, Monroe, Lincoln, Wilson, and Franklin Roosevelt were critical builders of American liberty and essential to its survival.*

## **FOR THE SURVIVAL OF LIBERTY: GREAT PRESIDENTIAL DECISIONS**

By Elton B. Klibanoff

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A bronze statue of a Revolutionary War soldier stands on a stone pedestal. The soldier is wearing a tricorn hat, a long coat, breeches, and boots, and is holding a long rifle. A tricorn hat and a sash are placed at his feet. In the background, the White House is visible under a clear sky.

*Elton B. Klibanoff*

# FOR THE SURVIVAL OF *Great Presidential Decisions* LIBERTY

BY THE RUDE BRIDGE THAT  
ARCHED THE FLOOD,  
THEIR FLAG TO APRIL'S  
BREEZE UNFURLED,  
HERE ONCE THE EMBATTLED  
FARMERS STOOD,  
AND FIRED THE SHOT HEARD  
ROUND THE WORLD.

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## TABLE OF CONTENTS

Preface.....	xi
Preface to 2016 Edition.....	xiii
List of Illustrations .....	xiv
 Introduction. Presidential Foundations of American Liberty .....	 1
 Chapter 1. George Washington and the Foundation of a National Economy .....	 7
1. After the Revolution.....	7
2. Washington's Background.....	8
3. Government After the Revolution.....	13
4. Washington and the Making of the Constitution .....	16
5. The First President .....	21
6. The National Debt.....	23
7. The National Bank.....	31
8. The Effects of Washington's Economic Policies.....	34
9. Washington's Legacy.....	37
 Chapter 2. Thomas Jefferson and the Expansion of the Nation.....	 40
1. Jefferson the Man and His Early Career .....	40
2. The Emergence of a National Political Leader, 1790-1800.....	50
3. Jefferson's Election and Inauguration, 1800-1801 .....	53
4. The Louisiana Purchase and the Empire of Liberty.....	56
5. Implementation and Jefferson's Political Principles.....	65
6. The Louisiana Purchase and Jefferson's Legacy .....	68

Chapter 3. James Monroe and the Establishment of America's Place in the World.....	74
1. President Monroe's Opportunity.....	74
2. Monroe's Early Life and Career .....	76
3. Senator, Diplomat, Cabinet Member .....	80
4. The Expansion of the Country, First Term.....	87
5. The Monroe Doctrine, Second Term.....	96
6. Monroe's Legacy .....	104
Chapter 4. Abraham Lincoln and the Revitalization of American Liberty .....	119
1. Slavery and Race as an Obstacle to Liberty and America's Mission.....	119
2. Slavery and the Early Republic .....	122
3. The Nature of Slavery in 19 <sup>th</sup> Century America .....	128
4. The Politics of National Expansion and Slavery.....	130
5. The Rise of Abraham Lincoln .....	143
6. President Lincoln and the Emancipation Proclamation .....	161
7. Lincoln's Legacy.....	180
Chapter 5. Woodrow Wilson and the Application of America's Mission to the World.....	184
1. The Coming of Age of America and Wilson's Unique Place .....	184
2. The Coming of Age of Woodrow Wilson.....	187
3. The Coming of the World War and Wilson's Struggle for Neutrality.....	192
4. Wilson's Visionary Plan for Peace .....	199
5. Momentum for War .....	204
6. Momentum for Peace.....	211
7. The Paris Peace Conference and the Versailles Treaty.....	215
8. The President and the Senate Battle Over the League .....	226

9.	Wilson's Impact on American Liberty and America's Mission .....	235
Chapter 6. Franklin Roosevelt and the Democratization of the American Economy .....		
	American Economy .....	240
1.	The Human Impact .....	240
2.	Economic Growth and the Coming of Economic Depression .....	242
3.	The Early Depression and the Ordeal of President Hoover .....	245
4.	Background and Preparation for Leadership .....	249
5.	The Challenge of Polio .....	256
6.	Path to the Presidency .....	259
7.	Preparing the New Deal .....	263
8.	Rescuing Life Savings .....	265
9.	Rescuing the Farmer .....	268
10.	Rescuing the Unemployed .....	270
11.	Rescuing the Investment System .....	272
12.	Opposition from the Left .....	276
13.	Establishing a Federal Commitment to Work Relief .....	281
14.	Establishing a Federal Commitment to Social and Economic Security .....	285
15.	Establishing a Federal Commitment to Economic Fairness .....	290
16.	Roosevelt's Legacy .....	294
Chapter 7. Conclusion. Building upon the Framework Decisions and 21 <sup>st</sup> Century Issues .....		
	Decisions and 21 <sup>st</sup> Century Issues .....	300
Bibliography .....		304
Notes .....		321
Index .....		357

## LIST OF ILLUSTRATIONS

1. *President George Washington, Patriae Pater*, courtesy of The Boston Athenaeum, Adam B. Walter after a painting by Rembrandt Peale .....108
2. *Alexander Hamilton, Secretary of the Treasury*, courtesy of The Boston Athenaeum, John Francis Eugene Prud'homme after a miniature by Archibald Robertson .....109
3. *President Thomas Jefferson*, courtesy of The Boston Athenaeum, David Edwin engraving after Rembrandt Peale.....110
4. *President James Monroe*, courtesy of The Boston Athenaeum, Nicolas-Eustache Maurin lithograph after Gilbert Stuart .....111
5. *John Quincy Adams, Secretary of State*, courtesy of The Library of Congress, George Peter Alexander Healy lithograph .....112
6. *President Abraham Lincoln*, courtesy of The Library of Congress, Anthony Berger photographer, Brady National Photographic Art Gallery.....113
7. *First Reading of the Emancipation Proclamation Before Lincoln's Cabinet*, courtesy of The Library of Congress, painted by F.B. Carpenter, engraved by Alexander Hay Ritchie .....114
8. *President Woodrow Wilson*, courtesy of The Library of Congress, Harris & Ewing photograph.....115
9. *President Franklin D. Roosevelt*, courtesy of The Boston Athenaeum, Harris & Ewing photograph, Gift of Reginald Allen.....116
10. *Frances Perkins, Secretary of Labor*, courtesy of The Library of Congress, Harris & Ewing photograph.....117
11. *Harry Hopkins, Works Progress Administrator*, courtesy of The Library of Congress, Harris & Ewing photograph.....118

## CHAPTER 1.

### **George Washington and the Foundation of a National Economy**

*George Washington, the first President, built an economic foundation that could support the country's unity and growth. He overcame the failures and inherent weaknesses of the government that existed prior to the adoption of the Constitution in 1787. Creatively assisted by Alexander Hamilton, he established a blueprint for a strong, growing national economy that enabled the United States to develop its system of liberty and play a significant role on the world stage. In doing so, he established a precedent for a strong federal government and showed that a President with vision could overcome major challenges to American liberty.*

#### **1. After the Revolution**

**W**hen America defeated Great Britain in 1783 after a seven year Revolutionary War, it became a beacon of hope to people everywhere who desired liberty. At the time, citizens of foreign countries were governed either by tyrannical regimes or by hereditary monarchs and aristocrats anointed solely by the accident of birth. The United States embarked on a noble experiment to determine whether a government dedicated to human liberty could survive and prosper. Never before had a people sought to build a country based totally on the consent of the governed and on equal opportunity for leadership. And nowhere had the Enlightenment values of freedom of thought and religious freedom yet coexisted with security and order. From the perspective of a 21<sup>st</sup> century citizen of the world's only superpower, one may think the experiment was destined to be successful, but it was truly not inevitable. There were many opportunities for failure along



the way; a foreign threat, internal dissension, political instability, fragmentation of the union—any one could have caused tragic collapse. American liberty has survived because of the Constitution on which it was grounded, the balanced structure of the government that it prescribed, the heroic sacrifices of its people, and the fortuitous leadership of a few great Americans.

No single person is more responsible for the success of the brave experiment in liberty than George Washington. He was a riveting symbol of the character and endurance of the new nation—through a torturous war against the most powerful empire on earth, during a period of loose confederation among thirteen disparate colonies, and throughout a precedent-setting first Presidency. His leadership and policies gave the ideals of the Revolution lasting substance. He set an example for his nation's future that established the importance of strong federal government policies carried out by a President whose confidence and vision equipped him to provide critical leadership. It was inevitable that the country's first President would powerfully influence the conduct and decision-making of future Presidents. Fortunately for the country and for the future of liberty, Washington was a man of dependable character and unequalled integrity, whose life experience gave him firm ideas about how America could not only survive, but flourish.

## **2. Washington's Background**

A Virginian from his birth on February 22, 1732 to his death on December 14, 1799, George Washington was born into an upper middle class landowning family. Eleven years old when his father died in 1743, the majority of the family's 10,000 acres, including Mount Vernon near Alexandria, was inherited by his older half-brother, Lawrence, in accordance with the custom of the time. Fourteen years older than George, Lawrence was a cultured, European-educated man who had acquired significant military experience and became an ideal role model. George admired and emulated him, visiting him often to join in hunting, farming, and horseback riding, and to listen to stories about the honor of a soldier's life.

By his early teens, George had become physically mature and was eager to embark on adult responsibilities, learning from Lawrence

many social graces, including how to dress respectably and dance proficiently. He learned the value of showing poise and decorum in social situations, copying in longhand at age 15 a popular self-improvement guide originated by 16<sup>th</sup> century Jesuits, specifying 110 “Rules of Civility & Decent Behavior in Company and Conversation.”<sup>1</sup>

Lack of financial resources for higher education did not discourage George’s determination to better himself and his status in life. He both observed others and taught himself, acquiring the applied sciences of surveying, mathematics, geography, and accounting that would prove useful in the ensuing years. By 16, he earned money on occasion by assisting the country surveyor in plotting land, with the neatness of his handwriting and the accuracy of his surveys becoming legendary. Nevertheless, George’s interests lay in another direction; years of listening to his brother’s tales of military exploits, as well as Lawrence’s advice to join the navy or merchant marine, appealed more to his adventurous spirit. Yet, his practical and responsible nature led him to acquiesce to the wishes of his mother, and George continued to develop a surveying career. Significant profits could be made in buying the uncharted territory west of the nearby Blue Ridge Mountains, and the ambitious young man used his surveying talent to help increase the meager property he had been bequeathed and, consequently, to improve his social status. By the time of his death, he owned over 56,000 acres.

The sense of responsibility he later exhibited to the new nation was a natural extension of the “family values” he always displayed. When Lawrence began to exhibit signs of the serious lung disease that would later claim his life, George volunteered to accompany him to the more favorable Caribbean climate on Barbados and to help with his care. While there, George contracted smallpox, a common scourge of young men of the time, but his overall strength enabled him to survive it. The trip helped him to understand the great economic potential of the markets of the West Indies, and the advantages of trade as a key element in the economic growth of the country. As time passed, Lawrence’s health failed to improve and he died in 1752, leaving the family estate at Mount Vernon to his wife and daughter and, upon their death, to George. Following the deaths of both women, he took ownership of Mount Vernon in 1761, living there for the remainder of his life.

At age 27 Washington married Martha Dandridge Custis, a prominent widow who brought him significant wealth and dramatically increased his family responsibilities. Although the couple never conceived children together, Martha brought two children to their marriage, John (called Jackie), age three, and Martha (called Patsy), age two. Patsy suffered from epilepsy and died at the premature age of 17 in 1773. John grew up with a lack of motivation, finally becoming an aide to his father during the Battle of Yorktown in 1781, but he became ill in the rough, unfamiliar military environment and died within days. The grief George and Martha felt was partially assuaged by their decision to raise their only grandchildren, John's two children, George Washington Parke Custis (called 'Little Washington') and Eleanor Parke Custis (called 'Nelly').

The Washingtons extended their compassionate largesse at Mt. Vernon to nephews, nieces, cousins and other extended family. George assumed responsibility as caretaker to a variety of people within his household, whether they were slaves, temporary workers, or family. Neighbors and colleagues valued his advice on personal or agrarian problems and called upon him to write their will, act as guardian to their children, and extend needed financial loans. His word was his bond and he expected the same in return. Although a slave owner, he respected the worth of each individual and, at his death, freed all his slaves and bequeathed funds sufficient for their education and welfare.

Washington actively cultivated his property, occasionally borrowing from British lenders to ensure a livelihood from his tobacco crop. Some of his fellow property owners felt mistreated by British creditors as a result of the high interest rates they had to pay and the strict, unforgiving enforcement of loan obligations. Washington was farsighted enough to convert part of his property from the depletive effects of tobacco farming to the more profitable and more restorative wheat crop, reducing his dependency on loans and thereby avoiding the plight of other landowners. Notwithstanding his good fortune, he always felt sympathy for the grievances Virginia planters had against the British.

The personal integrity Washington exhibited and the trust he was given by others combined to make each succeeding step in his military and political career appear to build inexorably to leadership of the new nation. He joined the Virginia militia in the early

1750's, fighting alongside the British in the French and Indian War, defending Virginia's claims to territory in the Ohio region. Like many others of his generation, his concern was for the defense of his own colony rather than any overriding interest in the British Empire. Relishing the military life, Washington wrote to his brother, "I heard Bullets [sic] whistle and believe me there was something charming in the sound."<sup>2</sup> As he had done with his education, determination and ambition enabled him to learn the military arts through tutoring, observation, and combat experience. Showing great leadership ability and rising quickly in responsibility, he received a British commission as lieutenant colonel at the age of 22 and became colonel in charge of the Virginia Regiment at the age of 24. The highlight of his pre-Revolution military career occurred when he successfully led his Virginia Regiment in the retaking of Fort Duquesne from the French in 1758. Travel to conferences with British commanders in Boston and Philadelphia during these years allowed him to gain familiarity with the situation in other colonies and to become one of the country's few founders with personal knowledge of colonies other than their own—a prime reason why others looked to him for leadership during the later Revolutionary period.

Washington's political career began in late 1758 with his election to the Fairfax County legislature, eventually becoming its representative to the Virginia state legislative body, the House of Burgesses, and remaining a member throughout the revolutionary period of the 1760's and 1770's. Composed of elite landowners with similar interests, this body operated on the basis of mutual respect and consensus building; their power and prestige increased steadily during the 1760's. At various points during that decade, as the British enacted taxes and commercial restrictions on the colonies, the House of Burgesses viewed these acts as infringements of their own rights and privileges. Washington firmly and consistently opposed these British measures.

Already widely recognized in Virginia as a leader, he was elected as a representative to the First Continental Congress, held in Philadelphia in 1774, to determine a coordinated response to British rule—the first attempt of the thirteen original colonies to act as one "nation". He was later elected to the Second Continental Congress in May, 1775, convened to consider an appropriate response to the first battles of the Revolution in Lexington and Concord, Massachusetts. Washington attended the opening session of that Congress in

his military uniform as commander of the Virginia militia, intentionally foreshadowing the likely result of the deliberations. It was clear that the citizens of Boston needed military help against the British from more than their nearby militias. The Congress decided to summon that support from throughout the colonies and asked George Washington to become "General and Commander in Chief of the American Forces." John Adams of Massachusetts nominated him to that post and, to some extent, Washington's Virginia background was influential in obtaining the support of colonies outside New England for the resistance effort. He accepted the commission but declined salary to perform it, believing that a man of means should be willing to serve his country without compensation, preserving government resources for other critical purposes.

Washington's military role in the Revolution was one that demanded strong character as much as strategic ability. He was required to act simultaneously as leader of men, administrator and organizer of complicated logistics, balancer of political interests, and diplomat par excellence. Time and time again, in order to preserve manpower for future battles, he was able to parry more numerous military forces and undertake tactical retreats, most notably in New York, Trenton, and Valley Forge.

The consequences of having a weak national government became quickly obvious to General Washington. Leading an army dependent on the Continental Congress for both men and money, he realized early in the war that he would have to carry on without all the necessary resources. The Congress had neither the power nor the political will to provide what he needed, relying as it had to on the vagaries of political decisions in each colony to raise tax revenue for the cause; such decisions were unpredictable, often made in response to the results of the latest battle or the newest rumor about the coming of peace. In addition, because Congress provided only for voluntary one-year enlistment periods, and had no authority to conscript recruits, Washington was deprived of experienced troops over an extended time, severely handicapping his military planning. He protested these circumstances in a letter to the President of the Congress in 1780:

...the system appears to have been pernicious beyond description...Had we formed a permanent Army in the beginning, which by the continuance of the same men in

Service, had been capable of discipline we never should have had to retreat with a handful of Men across the Delaware in Seventy Six; trembling for the fate of America, which nothing but the infatuation of the enemy could have saved...We should not have remained all the succeeding Winter at their mercy...liable at every moment to be dissipated...We should not have been at Valley Forge with less than half the force of the enemy...destitute of every thing, in a situation neither to resist nor retire...<sup>3</sup>

Despite the lack of support, Washington, in a compelling demonstration of patriotism, never wavered from his loyalty to the Congress and was never tempted to take power into his own hands in a military coup, although several of his inferior officers urged him to do so.

To compensate for its inability to exercise effective wartime authority, the Congress asked France, Britain's enemy, for military assistance; General Rochambeau's army and Admiral deGasse's navy provided aid that proved crucial to Washington's ultimate victory. The colonies were able to obtain critical financial resources for the war by negotiating loans from France and the Netherlands, with John Adams' skillful diplomacy instrumental in that effort. As it turned out, the inability of the Continental Congress to meet the loan payments during the war led to one of President Washington's greatest challenges as President almost a decade later.

Victory in the long and exhausting Revolutionary War was recognized in the Treaty of Paris in 1783. Washington immediately thereafter surrendered his military command to the civilian government, setting a powerful and enduring precedent for the supremacy of civil over military authority. He was ever a "republican", in the sense that he was committed to representative government—elected by those who would be governed. But the lessons of his experience as the military commander under the weak Continental Congress remained with him for the remainder of his public career.

### **3. Government After the Revolution**

Thirteen spirited, but fragmented, states had successfully fought the powerful British, but the weak confederacy they constituted was

not yet capable of taking its place among the major nations of the world; they had barely begun to evolve into a nation.<sup>4</sup> The Articles of Confederation the states had adopted in 1781 had created only one institution of national government, the Continental Congress, but its powers were limited and very much at the mercy of the individual states.<sup>5</sup> Because Congress had no ability to levy taxes, it was forced to depend not only on the willingness of each state to provide funds voluntarily, but on the readiness of foreign countries to extend critical loans.

The Articles created no executive branch and, therefore, no President to lead it. Congressional Committees performed all administrative functions, constituting an inefficient executive, at best. With neither a national Justice Department nor a judicial branch to enforce the laws Congress passed, obedience to national law depended on whether state legislatures passed statutes that mirrored those enacted by the Congress.

The Continental Congress was crippled in its attempts to establish the basis for a true national economy. Each state could, and often did, levy its own tariffs on imports from foreign countries. State tariffs were discriminatory and haphazard, never constituting a consistent plan to protect domestic commerce, and never permitting a united negotiating front to the world. Congress did not even have an effective mechanism to encourage commerce between individuals or among the states. It could make treaties with foreign countries, but could not override state laws that were inconsistent with any treaty provision. The country was saddled with heavy war debts that had to be addressed before its economy expanded, yet there was no power to raise taxes to pay them or to establish a national currency.

It was by no means certain the government could withstand these centrifugal pressures. To strengthen it by modifying the Articles, unanimous consent of the states was required. The most prominent supporters of our independence and founders of the country, men such as George Washington, John Adams, Thomas Jefferson and James Madison, idealistically thought that state political leaders, coming together out of patriotism and good will, would agree to the amendments necessary for an effective national government. But the cooperative spirit of the Revolution quickly gave way and the hopes of the founders were sorely disappointed; unanimous consent could never be obtained.



Victory in the Revolutionary War should have resulted in great enthusiasm among the citizenry for building a nation; it did not. Instead, with British oppression gone, people concentrated on meeting local priorities and satisfying material needs. With their newly won freedom, many state legislatures unwisely used their power to enact whatever laws favored the short-term economic interests of the majority of their own constituents. The ability to build a country was dealt a near fatal blow by these laws, enacted in the years between the Treaty of Paris in 1783 and Washington's Inauguration in 1789. States favored debtors over creditors, especially penalizing those creditors who had been loyal to Great Britain during the Revolution. They printed money that was not supported by gold or silver or by any confidence-building economic institution, with the result that it quickly depreciated.

Since each state printed its own currency, with varying values, interstate commerce was very cumbersome, and was made even more difficult by legislation protecting each state's selfish economic interests. "Tender laws" required creditors and businessmen to accept their state's currency at face value, even though its true worth was usually much lower. "Staying laws" automatically extended the term of debts and contractual obligations and "special acts" overrode specific judicial decisions favoring particular creditors. "Ex post facto" laws were commonly passed to nullify contracts and legal obligations after they were agreed to. As one historian has put it: "These attacks on property rights were, in the eyes of many, symptomatic of the excesses that were inherent in democracy."<sup>6</sup> Such shortsighted actions convinced many that the country could not afford to trust its political future to those who were lacking in the character necessary to shape it.<sup>7</sup>

All this had the effect of undermining confidence in government, increasing inflation and unemployment, inhibiting trade with other nations, particularly Great Britain, and causing a widespread economic depression. Many of the founders became convinced that the structure of the national government had to be drastically changed—not merely because the powers of the Continental Congress were inadequate for building a nation, but because state legislatures were abusing their power and perverting the liberty for which the founders fought.<sup>8</sup> George Washington verbalized this concern:



Virtue, I fear, has...taken its departure from our Land, and the want of disposition to do justice is the source of the national embarrassments<sup>9</sup>

In response to growing concern for the future of national unity, the Continental Congress decided in February, 1787 to call a convention of representatives from each state “for the sole and express purpose of revising the Articles of Confederation and reporting to Congress and the several legislatures such alterations and provisions therein.”

#### **4. Washington and the Making of the Constitution**

George Washington was elected as a delegate from Virginia to the Constitutional Convention of 1787, giving him an opportunity to restructure the government he had long believed was too weak. He was distressed that states failed to comply with Congressional directions, and that Congress was unable to prevent individual states from printing paper money—thus devaluing their currency—and from wreaking havoc with the relationship between creditor and debtor. He was particularly disappointed at the inability of the states to coordinate any common approach to building canals and improving river transportation, which would have allowed for increased internal trade and western development. He envisioned a government that could take the lead in encouraging the growth of commerce, both within the country and internationally; he foresaw a government that had the power to raise taxes and armies when necessary; and, most of all, he wanted a government that could be respected by other countries. He wrote in 1785 of his concern that the failure of the states to support the national government would “...Sap the Constitution of these States (already too weak), destroy our National character, and render us as contemptible in the eyes of Europe as we have it in our power to be respectable.”<sup>10</sup>

The 55 delegates to the Constitutional Convention included prominent and able men from each state. Taking a national rather than parochial view of the government’s shortcomings, these men “revised” the Articles by proposing their complete replacement with the document that has been the guiding charter of the country ever

since, the Constitution of the United States. That this document, created in the 18<sup>th</sup> century for thirteen states with 3 million people, is still vital in the 21<sup>st</sup> century for 50 states with 300 million people, is a tribute to the wisdom of those framers and to the citizens in each state who later voted to adopt it.

His fellow delegates unanimously elected Washington to be President of the Convention on the basis of his great reputation; ironically, in that capacity, the Convention's rules prevented him from taking part in any of the debate. However, during the four months the Convention was in session, Washington listened to and learned from some of the most brilliant oratory and argument about the structure of government that have ever been developed. The speeches of Alexander Hamilton, James Wilson and James Madison resonated most clearly for him because they advocated the strong national government he favored.<sup>11</sup>

Each delegate was conscious of the likelihood that Washington would be the first holder of executive authority in the new government, which escalated the gravity and drama of the occasion. Some were apprehensive about the scope of that power, since the Revolution was fought primarily against oppressive executive authority. By this time, though, there was consensus that each state had too much discretion under the Articles of Confederation while the national government had too little effective power. The delegates fashioned Article II of the Constitution, which described the powers of the President, with reference:

...to what they already knew of Washington. What they decided, in short, was whether the strength they wanted, as well as the restraint, were to be found in Washington, and whether the weakness they feared, or the despotism they abhorred, were likely to appear under Washington's hand.<sup>12</sup>

The resulting Article II granted extensive powers to the President, and it is unlikely that a Constitution with such strong executive authority would have been written if Washington had not been seen as the obvious first choice. After all, the Revolution was fought to end the arbitrary power exercised by King George III of England and the former colonials were loath to replace one arbitrary executive with another. However, George Washington was already a great man in the

eyes of his countrymen, having been the symbol of determination and courage throughout the Revolution. His integrity reassured almost everyone that there would be no danger of abuse of power with him in the office. Historians believe that one major reason the people approved the new Constitution, as they later voted in state constitutional conventions, was the reassurance they felt at the prospect of Washington as the first President.<sup>13</sup> In the famous quotation of Henry Lee, he was “...*first in war, first in peace, and first in the hearts of his countrymen.*” As Pierce Butler, a delegate from South Carolina, put it, the President’s powers would not have been so great:

...had not many of the members cast their eyes towards General Washington as President; and shaped their Ideas of the Powers to be given to a President, by their opinions of his Virtue.<sup>14</sup>

The delegates spent more time on drafting Article II than any other part of the document. Although the Article established a strong executive, its general language left room for each future President to develop his particular relationship to Congress, to state governments, to foreign countries and to the people of the United States.

The new instrument, by its own decree, became the supreme law of the land, binding judges and legislators in every state—even if local law was inconsistent with it. Article VI stated:

This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding.

This provision, called the Supremacy Clause, cured the major weakness of the Articles of Confederation. In addition, states were specifically prohibited from enacting ex post facto laws, from impairing the obligations of contracts, from issuing money, and from accepting anything but gold and silver coin in payment of debts. These measures prevented the abuses of legislative power by transient state

majorities that had been most disturbing to the Constitution's framers. Although James Madison proposed a provision granting Congress the power to nullify any act of a state legislature, the proposal did not receive sufficient support in the Convention to be enacted. Ironically, only a decade later, Madison (and his political ally, Thomas Jefferson) reversed his position and claimed that an individual state had the power to nullify any act of Congress!<sup>15</sup>

Intent on ensuring that national legislative power would not be abused, the delegates established the principle of "separation of powers," placing responsibility for making law, executing law, and interpreting law in separate parts of government.<sup>16</sup> Since 1700, a similar principle was at the center of the British constitutional system, but it was largely an unwritten one. The drafters of the American Constitution were convinced that King George III had abandoned it in the years before the Revolution by acquiring too much influence over Parliament, and causing the American colonies to suffer as a result. They were determined that the American version of the principle would be structured so that it could not be ignored by any political leader or leaders seeking arbitrary power.

The heart of the system of separation of powers was the establishment of three independent and co-equal branches of government: the legislative, the executive and the judicial. Each governmental element had its separate yet essential functions and was able to exercise "checks and balances" against the others, thus preventing any from acquiring too much power. The legislature was divided into two houses, the House of Representatives, elected directly by the people every two years, and the Senate, elected indirectly by each state legislature (until the 17th Amendment, adopted in 1913, provided for direct popular election), with each state equally represented. The executive was led by a President who was indirectly elected by electors in each state. The judiciary was appointed by the President, with the consent of the Senate, but was protected from political pressure from the other branches by virtue of lifetime appointments. Congress was given the power to remove executive and judicial officers for serious misconduct by means of impeachment. As a final "check", two of the branches, the executive and the legislative, although detached from the people, were "representative" of them and, thus, ultimately controlled by them. These operational elements of the separation of powers have provided the basic framework of the American Republic to this day. They constitute a marvelously effective barrier to

tyranny and deserve to be understood clearly by all the citizens who benefit from them.

Specific powers were delegated to the three branches that were lacking under the Articles; primarily, the powers to tax, to regulate interstate and foreign commerce, to raise and support standing armies and to supervise state militias. The new document also authorized more general enabling powers, permitting each branch to respond to future conditions that were unknown or unforeseen when the Constitution was created. For example, Congress was given authority to pass all laws “necessary and proper” for carrying out the defined powers, yet, it was not clear how far those “implied” powers could extend in specific applications. Similarly, the Constitution “vested” executive power in the President and designated him as “Commander in Chief”, but it was not clear about the extent of his authority over foreign policy, or his ability to put soldiers in harm’s way without Congressional approval.<sup>17</sup> Opinions differ on that issue even today. Some relatively recent Presidential decisions, such as John Kennedy’s ill-fated Bay of Pigs invasion, Richard Nixon’s bombing of Cambodia, George W. Bush’s imprisonment of alleged terrorists at Guantanamo Bay without charge or trial, and his NSA eavesdropping program without court approval, remain controversial exercises in Presidential authority.

The Constitution did not spell out precise boundaries for federal-state relations and was silent on whether the states could exercise a power that was not specifically assigned to the federal government. In 1791 the Tenth Amendment was adopted in an attempt to answer that question, stating “The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.” The meaning of this Amendment in particular cases has not been obvious and has been the subject of many Supreme Court cases throughout American history.

Such ambiguities sowed the seeds of political debate and conflict and have provided opportunities for decisions that have had positive impact on the survival of liberty. George Washington was the first to grapple with the lack of clarity when, as President, he was faced with structuring the country’s economic framework. He responded to the Revolutionary War debt and to the need for a national bank by taking an expansive view of implied powers and exercising a broad role for the federal government in relation to the states. Washington’s decisions set the pattern for disputes regarding federal/state relations that have

continued to the present day. They also had a profound impact on the growth of the young republic and helped to elevate its standing in the world.

The government established by the Constitution was, in a very real sense, an experiment, whose outcome was not predictable with certainty. Would it be possible for a government representative of and responsive to the people—a republic—to reconcile order and liberty, power and justice, security and freedom in an effective manner? Could it survive in a dangerous world of empires, wars, and greed? Washington knew that a young republic would need to be seen as capable, both militarily and economically, in order to preserve its independence.

## 5. The First President

At the age of 56, George Washington was unanimously elected the first President of the United States on February 4, 1789. The results could not be made official until the ballots cast by the designated electors were counted by both houses of Congress, as remains true today. Travel was slow and tedious, and several weeks elapsed before a quorum of Congress was present in New York City (the original national capital) to do the counting. Washington, at his home in Mount Vernon, did not learn of his election until April 14 and, when he was told, he wrote in his diary of his genuine apprehension about whether he would succeed as the first President:

About ten o'clock I bade adieu to Mount Vernon, to private life, and to domestic felicity; and, with a mind oppressed with more anxious and painful sensations than I have words to express, set out for New York...with the best dispositions to render service to my country in obedience to its call, but with less hope of answering its expectations.<sup>18</sup>

His fellow countrymen had no such apprehension; the ceremonial journey from Mount Vernon to New York City, a distance of about 300 miles, lasted almost two weeks and provided an opportunity for average citizens to express their admiration and adulation. Washington was greeted by large crowds in each city and town along his

route, often accompanied by bands, fireworks, public officials, and military officers. At the site of the battle of Trenton, New Jersey, where he had repulsed the British attack twelve years previously during the Revolutionary War, Washington passed under a great arch, supported by pillars and festooned with evergreen and flowers. Young girls offered bouquets to him and sang ceremonial songs. When he finally reached Elizabeth, New Jersey, across the water from his destination, he was ushered onto a barge with a crimson canopy that brought him to New York. Each boat in the harbor displayed flags and their seamen shouted support as fireworks boomed in the background. Thousands of New Yorkers left work to witness Washington's arrival, the equivalent of a modern day ticker tape parade down Fifth Avenue.

Although the celebration at the beginning of Washington's Presidency showed widespread confidence in the man, Americans did not necessarily have faith that the new federal government would be a lasting one. Some feared that it would abuse its power and oppress its citizens as the British had done, perhaps with excessive taxation or aristocratic rule. This group included "anti-federalists", like Patrick Henry, who had campaigned against the ratification of the Constitution, but also included, from time to time, some of the nation's greatest patriots—Thomas Jefferson and James Madison among them. In the First Inaugural Address on April 30, 1789 Washington himself succinctly summarized the challenge awaiting both him and the nation:

...the preservation of the sacred fire of liberty, and the destiny of the Republican model of Government, are justly considered as deeply, perhaps as finally staked, on the experiment entrusted to the hands of the American people.<sup>19</sup>

The country's unity and liberty would truly be put to the test during Washington's Presidency. His first term would require him to provide specific definition to the general powers the Constitution granted the national government. The most prominent founders of the country—Washington, John Adams, Alexander Hamilton, Thomas Jefferson, and James Madison—hoped and trusted that the nation could do so without encouraging factions and political parties. They believed that people of high morality, with "republican" virtues and a national outlook, would form political consensus on all major issues. In the event, they underestimated the depth of the

political disagreements that would ensue and separate these former allies and friends from one another. And they failed to foresee the clash of economic and regional interests that were inherent in the administration's first legislative proposals. It was not clear in 1789, but the tension between national unity and states' rights would soon lead to the creation of the first United States political parties, and to recurring political battles for the remainder of the country's history.

## 6. The National Debt

The talents, skills, and personal dignity developed during a lifetime of leadership responsibility were crucial to President Washington's ability to maintain the unity of the country and the trust of its citizens. Conscious of the critical role the first administration would play, he gathered around him some of the great men of the revolutionary generation, men whose ideas and courage had already laid the foundation for freedom and liberty. Thomas Jefferson, John Adams, and John Jay were among the very few Americans with any diplomatic experience abroad. Adams became the first Vice President, Jefferson was appointed Secretary of State, and Jay, key negotiator of the Treaty of Paris ending the Revolution, became the first Chief Justice of the Supreme Court. By far the most influential member of the administration was the brilliant and ambitious Secretary of the Treasury, Alexander Hamilton of New York, who, at 32 years of age, was the youngest member of the Cabinet. Washington's administrative style required each of his department heads to obtain approval from him on any significant administrative or policy proposal, the same approach he used as Commander of the revolutionary army. However, Hamilton enjoyed more freedom than other Cabinet members as a result of the depth of his financial knowledge and his great creativity in solving problems.<sup>20</sup>

As General Washington's chief military aide during the Revolutionary War, Hamilton had managed with ingenuity the scarce human and material resources that were made available for combat. When the British threatened to attack the Southern states, Hamilton boldly recommended that slaves be made soldiers and given their freedom.<sup>21</sup> Convinced that the army's lack of resources was a result of the inability of the Continental Congress effectively to manage the economy of



the new nation, he took the initiative to become an expert in economics, reading Adam Smith, among other English economists. Hamilton produced a variety of recommendations detailing how the Continental Congress could manage its debt and provide adequate resources, although few were adopted. Washington was impressed by Hamilton's analytic abilities and the young man's capacity to help build the country, entrusting him with the most sensitive diplomatic and political missions. He went on to be a key contributor to the Constitutional Convention and the principal author (the others being James Madison and John Jay) of *The Federalist Papers*, a persuasive collection of analyses and arguments in support of the ratification of the Constitution. He had risen from quite humble origins in the Virgin Islands to graduate from what is now Columbia University, have a successful military career under General Washington, and become a respected lawyer in New York. He was President Washington's most important advisor and a prominent example of the generous opportunities for advancement available to the citizens of the new republic.

Washington immediately faced policy choices that would determine where power to shape the economy would lie in the new nation—with the national government or with the states, with the commercial and manufacturing interests or with the landholders and the farmers. Hamilton's role was to recommend a framework for a sound financial and monetary system. Shortly after Congress established the Department of the Treasury in September, 1789, it passed a resolution instructing the first Secretary to prepare a plan to manage the outstanding debt of the new country.

The problem of public finance was not only one of great importance but of great complexity. It was, in actuality, a four-sided paradox:

- 1) unless the new country could borrow funds, its economy would not be able to grow and its very existence would be threatened by economically stronger, rival nations;
- 2) no one would want to lend the country money (usually by buying its bonds) unless they were sure it would be able to pay the interest and principal the debt required;
- 3) no prospective lender or investor, whether foreign or domestic, could be sure the country would pay future debts while those acquired during the Revolution remained unpaid; and

- 4) the country could not pay the Revolutionary debts unless it could establish good credit and borrow necessary funds.

Some politicians advocated potentially disastrous, “quick” solutions, such as ignoring or repudiating the debt, or immediately raising enough taxes to pay all of it. Repudiation of the debt would have caused the collapse of the country’s trade and commercial welfare, effectively discouraging anyone from extending credit to it. Yet, immediate payment of the debt from tax revenues would have required such high tax burdens that most citizens would have wondered whether the Revolution had merely replaced one oppressive government with another. Some states had tried these “quick” solutions during the 1780’s, with predictable results. Rhode Island’s legislature, controlled by radical agrarian interests, tried to repudiate the state’s debt by issuing paper money that quickly lost its value, hurting almost everyone. Massachusetts took the opposite approach, raising enough taxes to pay off all its bonds, but many farmers in the state did not have the funds to pay their taxes and feared foreclosure, stimulating a civil uprising called Shay’s Rebellion after its leader, Daniel Shays. The rebels attempted to prevent the courts from functioning and issuing orders against farmers and their property; the rebellion had to be put down by local militias that remained loyal to the state government. At the time, Washington was so alarmed by these events that he strongly supported the call for the 1787 Constitutional Convention in order to give the national government more effective power to guide the economy and ensure public tranquility. As President he resolved not to allow the new federal government to put the entire country in a comparably humiliating position by adopting one of the “quick” but impractical and self-defeating solutions.

Hamilton meticulously researched and identified the size of the debt, together with the domestic and foreign creditors that would have to be satisfied.<sup>22</sup> After reviewing the problem and his proposed solutions with President Washington, the two were convinced that they needed to develop faith in the credit of the United States and place the new country on a firm economic footing. The Constitution itself authorized such a policy, stating in Article VI:

All Debts contracted...before the Adoption of this Constitution, shall be as valid against the United States under this Constitution, as under the Confederation.

Both men understood that the reputation of the country in the eyes of the world required that the national government take the lead in honoring its debts. With Washington, this belief was intrinsic to his personal sense of honesty and fairness and consistent with the lessons of his experience as commander of the revolutionary forces. He had stated in a letter to the Marquis de Lafayette in 1789:

...my endeavors [as President] shall be unremittingly exerted (even at the hazard of former fame or present popularity) to extricate my country from the embarrassments in which it is entangled, through want of credit...<sup>23</sup>

With Hamilton, the conviction was based on years of studying history and observing in-depth the economies of European countries, particularly those of England and France. He concluded that a market economy and free trade were essential to growth, since they established incentive for man's natural desires and interests to be acted upon. He also believed that the government should actively administer the economic system to ensure the availability of an adequate supply of money, and to direct it to the hands of those who would use it most productively for the country's benefit. This included the merchants, industrialists, investors and financiers—in short, the people who were in the best position to put capital to work.<sup>24</sup>

In January, 1790, Hamilton presented to Congress the *Report on Public Credit*, the first explanation of his and Washington's grand design for the economic framework of the United States. The Report set out the principle that the entire debt needed to be honored, with no part of it ignored, in order to establish the Government's creditworthiness. Rather than outright or quick payment, the document proposed "funding" of the debt, whereby the Government would pledge a sufficient amount of the country's annual income to pay the interest and principal gradually. Hamilton called properly funded debt "a national blessing"; when citizens had confidence in the government's commitment to pay, they would treat the "bonds" or "notes" (then called 'certificates') issued to do so as money.<sup>25</sup> If they had faith that value would always be there, they did not need to hold the paper until the due dates in order to redeem them, using them instead to pay each other for goods and services. Thus, funding could greatly increase the amount of liquid capital available for economic growth

because the annual taxes levied by the government for this purpose would need to be only a fraction of the total indebtedness. The bonds issued to cover the entire debt would provide resources many times the amount of those taxes and would significantly stimulate the economy. The funding scheme would thus solve the four-sided paradox.<sup>26</sup>

The Report proposed the establishment of a stable tax base to support debt service. The Constitution had specified the power to impose import duties as an exclusively federal power and they were an important part of the plan. As a result, continued commerce with Great Britain, our most significant trading partner, became essential to the country's economic well-being. The Report also recommended the use of an excise tax on alcoholic beverages to raise the money necessary to fund the debt. These two taxes were intended to cure one of the weaknesses Washington perceived under the Articles of Confederation—the inability of the national government to command a stable source of tax revenue.

There was some opposition in Congress because the Report proposed that only the current holders of certificates would benefit. Many of the poorest and most deserving members of society would be disadvantaged by it, particularly those original holders of government certificates who had since sold them to investors and speculators rather than wait for the government to redeem them. James Madison, then a Congressman from Virginia, advocated paying both the current and original holders, arguing that since many soldiers, their widows, and orphans were induced to sell their certificates at greatly devalued prices, the government should allow these original holders to share in the payments. He recommended issuing new certificates to then current holders at the highest market value their certificates had attained; original holders would be paid the difference between that value and the original face value. He called his plan “discrimination” among potential creditors.

Most Congressmen disagreed with Madison. His scheme would have been much more costly than Hamilton's; it would have been extremely difficult to track down original holders and find adequate records, and the opportunity for fraud would have been rampant. Hamilton persuaded a majority of Congress that discrimination was, in effect, a breach of contract with the current holders and would render the government's bonds difficult to negotiate freely. Therefore, the ability of the country to develop a liquid

money supply would be compromised and its ability to borrow in the future would be undermined. Even though Madison's plan was soundly defeated, it earned for him the reputation of being in support of the "common man" and against the "moneyed interests."

More serious opposition was directed at the administration's proposal for the immediate "assumption" of the state debts, whereby the national government would assume responsibility for all the financial obligations incurred by the states to prosecute the Revolution. Although it would add another \$25 million to the total needing funding, the Report claimed that assumption would result in two major benefits to the country. Because there would be a unified group of creditors, the government would acquire a powerful interest group to support its economic program.<sup>27</sup> It would also forestall a battle between the states and the federal government over tax revenue, leaving the best sources for the federal government.

The problem then became how to identify the debts and apportion them fairly. Those states that had been careless in their book-keeping—mostly in the South—feared they would be shortchanged if the audit standards were too strict; those that were efficient—mostly in New England—feared the audit standards would be too lenient, thereby permitting false claims by others.<sup>28</sup> The Report suggested that the debts would be assumed as they existed in 1790, penalizing those states, like Virginia, which had already paid off a good part of its debt. As a political son of Virginia and susceptible to its political pressure, James Madison strongly objected to this part of the plan, proposing instead that the government should assume the debts of each state as they had stood in 1783. Although this would have benefited those states that had paid off debt, it would have nearly doubled the burden on the federal government. President Washington, another political son of Virginia and still a major landowner, was able to see beyond the narrow interests of his home state and viewed the assumption plan as fair to all the states that sacrificed for the Revolution.<sup>29</sup>

Hamilton was surprised by Madison's political stance, since, when they co-authored *The Federalist Papers*, the Virginian favored a strong federal government and did not emphasize states' rights. However, political pressure from his home state, as well as Madison's growing antagonism to the nature of the Washington administration's entire economic system, made his opposition not so surprising, after all. Madison was concerned about policies that favored creditors over

debtors and about economic measures that mirrored those British institutions that the Revolution resisted. As one writer has put it:

Historians may reasonably conclude that...Hamilton's ideas were better calculated than [Madison's] to foster national prosperity and to promote the nation's long-term interests. But...for Madison, prosperity and rapid economic growth were not the only—not, indeed, the most important—points to be considered.<sup>30</sup>

Although the President took no active part in the assumption debate, most Congressmen understood that Washington would not have permitted the plan to be proposed had he been against it. Secretary of State Jefferson bolstered this view with his own concern that, unless funding and assumption were passed, thus establishing the credit standing of the United States, the country might not have the economic strength required to stay neutral in the face of war in Europe.

Madison's opposition delayed Congressional action for months; it appeared that assumption would not pass the House of Representatives. The stalemate was resolved by one of the most fascinating political compromises the country has ever witnessed—a unique event involving Jefferson, Hamilton and Madison that has been called the “Dinner Deal” or the “Compromise of 1790”. The compromise involved both the issue of assumption and the relocation of the nation's capital, at that time in New York City. Washington, Jefferson, Madison, and most mid-Atlantic and southern politicians wanted it moved to the banks of the Potomac River in Virginia or Maryland. They felt that, to maintain the unity of the nation, the center of political gravity of the country needed to be further south than it had been. Opposition came not only from New Yorkers and New Englanders, who did not wish the capital moved at all, but, also, from Pennsylvanians who believed the capital should be permanently moved to Philadelphia, birthplace of the Declaration of Independence and the Constitution.

It is not clear who initiated the dinner meeting in late June, 1790 that produced the compromise. The only written recollection of it was penned by Jefferson in 1818, some 27 years after the event, and was undoubtedly influenced by his subsequent disagreements with the Washington Administration's policies and with Hamilton that crystallized

much later than 1790. In *The Anas*, Jefferson claimed that Hamilton, distraught by the unwillingness of Congress to pass the assumption bill, accidentally came upon Jefferson while walking to the President's house and begged for his help to convert the votes of some Virginia Congressmen.<sup>31</sup> Jefferson alleged that while he merely offered to host a dinner with Madison to discuss the issue, Hamilton used the occasion to "dupe" the other two into arranging for Virginia support for assumption, in exchange for Hamilton's effort to attract northern votes to move the capital to the Potomac.<sup>32</sup> Despite these claims, it is more likely that all parties were, at some point, equally interested in a bargain and entered into it fully aware of its significance.<sup>33</sup> In the event, Congress voted to move the capital; Hamilton adjusted his assumption formula and accounting method slightly to give Virginia a better deal; and the assumption bill was passed on July 29 with key support from Virginia Congressmen.

The trade-off was more than a routine political compromise; all the principals viewed the agreement as essential to national unity and strength. President Washington put it clearly:

The two great questions of funding the debt and fixing the seat of government...were always considered by me as questions of the most delicate and interesting nature...They were more in danger of having convulsed the government itself than any other points.<sup>34</sup>

Had the bill to move the capital not been passed, some states might have seceded from the Union long before the Civil War of 1861. Had funding and assumption not been adopted, and the nation's credit had not been established, the country would have faced an equally serious threat to its survival—a financially weakened nation might not have been able to withstand an attempt by either Great Britain or France to extend the European war by invasion or blockade of the United States. Perhaps America would have become a colony once again.



## 7. The National Bank

The President greeted the First Congress upon its return in December, 1790 for its second session by observing that the strengthening of the nation's credit as a result of funding and assumption had brought economic prosperity at home and respectability abroad.<sup>35</sup> At the same time, there was growing disenchantment in Virginia and the southern states about the passage of that legislation. James Monroe, a Virginian who was later to become the fifth President, wrote to Jefferson complaining that the legislation was a blow to the power of the states because it undermined their ability to levy taxes and greatly strengthened the authority of the federal government.<sup>36</sup> Monroe's concerns about national power were to lessen in later years as experience broadened his vision. Despite such political dissent, Hamilton obtained Washington's approval to submit for Congressional action the *Report on a National Bank*, which constituted the second phase of the administration's economic program.

The proposed national bank was to be a critical facilitator in achieving the strong economic growth intended to follow the passage of funding and assumption; it would create the currency the country so desperately needed by issuing its own notes, redeemable in gold or silver on demand. Under the Articles of Confederation, there had been a constant shortage of money—gold and silver were scarce, no national paper currency existed, and the notes issued by state banks varied greatly in value and did not enjoy national circulation. The bank, conceived as a partnership between the government and the bank's private directors, would have an authorized capitalization of \$10 million, at the time an enormous sum—greater than the combined capitalization of all banks then existing in the country.<sup>37</sup> The bank would also perform many of the financial functions required by the government—collecting taxes, acting as fiscal agent in foreign transactions, loaning the government money, and serving as the national depository bank. Finally, ample and secure capitalization would allow the bank to be a financier for entrepreneurs, thereby fueling business expansion and economic growth.

The Report was acknowledged to be a well-reasoned and persuasive document which offered great benefits to the new government yet contained no clear preferences for one interest group over another,



unlike the funding and assumption legislation. Most Congressmen recognized the wisdom of its proposals and their importance to the country. There was some opposition based on the fear that the entire economic framework the administration was building—one part of which was the bank— favored the commercial and moneyed interests of the North, rather than the property owners and agrarian interests of the South. Hamilton vigorously disputed that concern, convinced that all classes and all regions would benefit from the system once it was established. Some Congressmen worried that the establishment of the bank in Philadelphia, as the legislation provided, would make less likely the eventual relocation of the nation's capital to the shores of the Potomac. James Madison was the focus for this Virginia-based opposition, and he attempted unsuccessfully to amend the legislation to limit the bank's life to the ten years of Philadelphia's temporary designation as the capital.

Madison next argued that the bank bill was, by its very nature, in violation of the Constitution. The ensuing constitutional arguments over the limits of the power of the federal government formed the basis for the true historical significance of this political event. In the House of Representatives, Madison claimed that, unless the specific power to charter a bank was found in the Constitution, Congress had no power to enact the legislation necessary to do so. This approach to the meaning of the Constitution has become known as “strict constructionism” and has influenced political debate in the United States to the present day. Madison examined the powers granted in Article I and did not believe the authority to charter a bank was included in the powers to tax, to pay debts, to borrow money, to regulate commerce or to provide for the common defense and welfare. Nor did he believe that the power “To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers” gave Congress any authority beyond what had already been specified.<sup>38</sup> In any event, he denied that the bank was “necessary” to carry out any of the specified powers, rendering the clause irrelevant in that context. His colleagues were not persuaded and voted 39-20 in favor of the bill. Nineteen of the twenty votes against came from the South, twelve of those from Virginia and Maryland.

The political battle to kill the bank did not end with the bill's passage. Madison next turned his attention to President Washington, hoping to convince him to veto the bank on constitutional grounds.

Washington favored the bank but was sufficiently concerned about these new legal arguments that he requested formal opinions on the matter from two other Virginians, Attorney General Edmund Randolph and Secretary of State Thomas Jefferson. Their opinions essentially agreed with Madison's arguments and went even further by citing, as a basic principle, the language of the soon to be enacted Tenth Amendment to the Constitution: "...all powers not delegated to the United States, by the Constitution, nor prohibited by it to the States, are reserved to the States or to the people."<sup>39</sup> Jefferson's opinion set forth the classic strict constructionist interpretation of the Necessary and Proper Clause:

"...the Constitution allows only the means which are "*necessary*," not those which are merely "convenient" for effecting the enumerated powers...the Constitution restrained [the enumerated powers] to the *necessary* means, that is to say to those means without which the grant of power would be nugatory."<sup>40</sup>

The opinions intensified Washington's dilemma; to him, the Constitution was sacred and he was unwilling to add his name to legislation that the great document did not authorize. Nor did he want to endanger the movement of the national capital to the banks of the Potomac, something he deeply desired. With fresh doubts, he asked Alexander Hamilton to respond to the constitutional arguments and to do so expeditiously, since the Constitution gave the President only ten days to sign or veto a bill. Simultaneously, the President asked Madison to draft a veto message for him in the event he decided not to sign.

More was at stake than merely the fate of the bank bill. If the Constitution were to be strictly limited to the enumerated powers, it would become almost impossible for the new country to grow strong and take its place among the great nations of the world. To achieve Washington's goal of overcoming the weaknesses inherent in the Articles of Confederation, the new Constitution must permit "implied powers," giving the government flexibility to deal with crises and new situations that were not envisioned when the Constitution was written. Hamilton's challenge was clear and he spent most of his waking hours working on his response.

The opinion Hamilton delivered only two days before the deadline is the classic statement of “broad construction” and implied powers. While acknowledging that sovereignty in the United States was divided between the national and the state governments, he argued that this did not mean that each level of government could not exercise complete authority to carry out its appropriate functions. To the contrary, “each has sovereign power as to *certain things*, and not as to *other things*.” Hamilton claimed that, in interpreting the Necessary and Proper Clause, Jefferson added a word that was not there—either “absolutely” or “indispensably” before necessary. With either word added, Hamilton correctly concluded that few actions of any government would be constitutional. Rather, the word “necessary” must take the normal meaning of “*needful, requisite, incidental, useful, or conducive to*.”

Hamilton demonstrated that the bank was ‘necessary’ to all of the following enumerated powers: to collect taxes, to borrow money, to regulate foreign and domestic commerce, to provide for the common defense, and to regulate the property of the United States. In one of the most famous statements of Constitutional interpretation, he wrote:

If the end be clearly comprehended within any of the specified powers, & if the measure have an obvious relation to that end, and is not forbidden by any particular provision of the constitution—it may safely be deemed to come within the compass of the national authority.<sup>41</sup>

Hamilton’s formulation influenced our greatest Supreme Court Chief Justice, John Marshall, when he adhered to it almost verbatim in upholding the constitutionality of the successor national bank in the 1819 case of *McCulloch v. Maryland*. After receiving Hamilton’s opinion, President Washington decided that the constitutional questions had been adequately answered; he signed the bill on June 25, 1791.

## 8. The Effects of Washington’s Economic Policies

Washington was more than satisfied with the impact of the establishment of the national bank, believing that his administration had rescued the credit standing of the country.<sup>42</sup> In his message to Congress in October, 1791, he reported that:

The rapid subscriptions to the Bank of the United States, which completed the sum allowed to be subscribed, in a single day, is among the striking and pleasing evidences which present themselves...The subscription in the domestic debt of the United States, has embraced by far the greatest proportion of that debt;<sup>43</sup>

The combination of funding of the debt and establishment of the bank yielded the predicted benefits for the new republic. An ample and stable money supply was provided, a reliable system of credit was made available both domestically and internationally, a national tax system was established, a reliable source of loans to the government strengthened its stability, and economic growth was significantly stimulated. Hamilton wrote to Washington that:

...the most incorrigible theorist among its [the bank's] opponents would in one months experience as head of the Department of the Treasury be compelled to acknowledge that it is an absolutely indispensable engine in the management of the Finances and would quickly become a convert to its perfect constitutionality.<sup>44</sup>

Washington and Hamilton's economic system was intended to unify the country and, over the very long run, it had that effect. But, ironically, in the 1790's and early 1800's, it had somewhat of the opposite, though, perhaps, inevitable result. Both Jefferson and Madison had grave concerns about the economic direction of the Washington administration and did not favor federally-led commercial growth, centered in New England and the Northeast. Rather, they envisioned a country whose economy was more dependent on agrarian interests, less willing to tolerate debt and more sensitive to the interests of Virginia and the South. They feared that a strong federal government, particularly with Hamilton at its center, would be overly focused on national growth and insufficiently concerned with individual liberties. Ultimately, their fight against the bank, coming after the battles over funding, discrimination, and assumption, was the start of bitter political conflict among Washington's most trusted colleagues and friends that continued throughout the 1790's. In response to a letter from the

President seeking to mediate the disputes, Hamilton wrote of the growing differences between his supporters and those of Jefferson:

One side appears to believe that there is a serious plot to overturn the State governments, and substitute a monarchy to the present republican system. The other side firmly believes that there is a serious plot to overturn the General Government and elevate the separate powers of the States upon its ruins. Both sides may be equally wrong & their mutual jealousies may be materially causes of the appearances which mutually disturb them, and sharpen them against each other.”<sup>45</sup>

The disagreements were to become even more contentious, ultimately leading to the creation of the Jeffersonian Republican Party, formalizing the political opposition to the Federalists and establishing the American two-party system.

The debate over constitutional interpretation between Madison and Jefferson, on the one hand, and Hamilton and Washington, on the other, has reverberated throughout the nation’s history. “Strict constructionism” has been used frequently as an argument against a particular political action with which an individual might disagree. Such historic decisions as the nation’s expansion westward, the abolition of slavery, the movement to control the monopoly power of big business with anti-trust laws to benefit consumers, the New Deal’s social and economic program to counteract the depression of the 1930’s, the racial integration of schools and public accommodations in the 1960’s, and national health insurance enacted in 2010 have been attacked as violations of strict construction. The doctrine is often voiced by the party out of power against the policies of the party in power. Despite the belief that strict constructionism serves a “conservative” point of view, in reality it serves whatever group favors federal inaction, whether conservative, liberal or something in between. Ironically, individual political leaders have taken opposing sides of the argument at various times in their careers as it suited their political goals. When Washington and Hamilton favored a strong Presidency, with discretionary authority that could further their economic program, Jefferson believed that such power could be abused and ran counter to the prerogative of the legislature, the people’s representatives. Yet, when the

Presidency was in Jefferson's hands, he eagerly used executive discretion in the service of his basic political objectives—specifically, westward expansion enabled by the Louisiana Purchase.

The national bank facilitated economic growth during the late 18<sup>th</sup> and early 19<sup>th</sup> centuries. Yet, it provoked ongoing, spirited political conflict between those that believed it was essential for economic expansion and those that thought it favored the commercial and wealthy classes as opposed to farmers and poorer citizens. President Andrew Jackson's Democrats vehemently opposed the national bank as contrary to the interests of the common man and Jackson vetoed the bill to re-charter it in 1832. Thousands of banks and tens of thousands of varieties of paper money plagued the nation's economy as a result of his decision. During the Civil War, some standardization in bank notes was finally mandated and, in 1879, a metallic exchange rate was established for the dollar. However, it was not until 1913, with the creation of the Federal Reserve System, that a central bank on the model of that established by Washington was again at the center of the country's economy. It is a tribute to the vision of both Washington and Hamilton that such an institution proved critical to the development of the United States into the world's leading economy—an economy that was primarily responsible in the 20<sup>th</sup> century for the victory of liberty over several forms of tyranny, in two World Wars and one Cold War.

## 9. Washington's Legacy

Nothing was more important to George Washington than that the United States command respect, both at home and abroad.<sup>46</sup> As President, he nurtured the establishment of a system that replaced thirteen weakly confederated states with a strong national government, forever to remain at the center of the economic life of the country. Washington's foresight resulted in a foundation for economic strength that enabled the United States to retain its political liberty and to play a major role on the world stage, from his era to the present.

Lacking the economic education and historical knowledge that allowed Hamilton to design the new country's economic framework, Washington understood and supported its value from the outset. Historians have, at times, given Washington too little credit for these achievements because he was not the author of the legislative measures

or the primary advocate for them with the Congress.<sup>47</sup> But others have recognized what was more important to the country—the wisdom of his leadership in the service of a strong national economy.<sup>48</sup> Washington recognized the advantages of the economic plan and had the foresight to comprehend from the outset what the United States could become as a result of it. He also had the courage to rise above the parochialism of his Virginia and agrarian origins, and subordinate local interests—including his own—for the good of the country.

Washington is often, though unfairly, viewed in the shadow of Madison, Hamilton and others in assigning responsibility for the substance and adoption of the United States Constitution. In a very real sense, Washington made possible the success of the government created by the Constitution by establishing the tradition in the United States of the supremacy of the popularly elected government over the military. As a leading critic of the weak Articles of Confederation and the excesses of legislature-dominated state governments during the 1780's, he was a crucially important voice for adoption of the Constitution. He realized that the future of liberty could better be served by a strong nation than by a weak federation.

As much as anyone, Washington determined the practical meaning of the Constitution's general principles. He was the first to be called upon to give life to the powers of the President set forth in Article II and, in doing so, established that the President must be subordinate to the rule of law, that he had a similar right and responsibility to interpret the Constitution as did the legislature and judiciary, that the President bore special responsibility over foreign policy as defender of the people, and that the President should act as spokesman for the people in both domestic and foreign affairs.<sup>49</sup> Yet, Washington's most profound influence on the Presidency lies in the high standard of character he set for his successors. Always reluctant to take power and to retain it, he was universally trusted to exercise it wisely.

Washington symbolized and exemplified, in his person and in his character, the strength and the optimism of the new republic. His calm, yet confident demeanor, his honesty and responsibility, his fairness and tenacity, his regal bearing and forward-looking attitude, all combined to render indispensable leadership. In his second term, he would steer the young country on a course of neutrality in the environment of European War, permitting it to husband its growing resources until better able to hold its own in the world. He warned in

his Farewell Address against letting faction and party politics influence foreign policy and compromise what was in the best interests of the country. Always aware that lack of unity could weaken America's position in the world, he set the precedent for the country's tradition of a bipartisan approach to foreign policy where, in the well-known phrase of a great diplomatic historian, Samuel Flagg Bemis, "politics stops at the water's edge."

It is deceptively simple, from the perspective of the 21st century, to see loyalty to a strong national government as inevitable. But, in the late 18<sup>th</sup> century, many questioned whether all Americans shared a commitment to the Constitution and to "republican" government. Only a decade had passed since a group of fragmented yet proud colonies declared their independence; a national consciousness was only in its infancy. In this context, Washington set a visionary, powerful and courageous example of strong federal leadership for his countrymen to follow. His actions set a precedent for how future challenges to American liberty and unity, even if outside the economic sphere, should be met. These challenges included the geographic expansion of the country, immigration policy, the great conflict over slavery, and the extension of the opportunity for liberty to other parts of the world. Without Washington's example, the country's growth would have been delayed and uncertain, its strength less likely to be realized, and the future of its liberty less surely guaranteed.



## INDEX

- 36/30, 131,136,140-1,151-2,161  
 36<sup>th</sup> parallel, 106  
 42<sup>nd</sup> parallel, 94  
 49<sup>th</sup> parallel, 90,135  
 54/40, 135  
 54<sup>th</sup> Massachusetts Infantry, 175
- AAA, Agricultural Adjustment Act, 269  
 Abolitionism, 126-7, 132-3, 136, 140,  
     156,160,162,175,179  
 Adams, Abigail, 44  
 Adams, Henry, 65,88  
 Adams, John, 12-14,22-3,44,47,51-  
     4,58,75-6,103,134,163  
 Adams, John Quincy, 88-9,91-2,94,  
     96-7,103,105,107,112,120  
 Afghanistan, 97  
 Aid to Dependent Children, ADC,  
     289-90  
 Aid to Families with Dependent  
     Children, AFDC, 290  
 Alabama, 57,128,131,161  
 Alaska, 3,301  
 Alien and Sedition Act, 52  
 "all men are created equal," 45,141,178  
 Alleghenies, 42,79  
 Allied and Associated Powers, 211  
 Allied Powers, 197,204,209,212,216  
 Alsace-Lorraine, 213,216-7  
 Ambruster, Lt. Robert, 92  
 American Anti-Slavery Society, 132  
 American Colonization Society, 132,148  
 American Expeditionary Force, 208  
 American System, 101  
 Anacostia Flats, 248  
*Anas, The* (Thomas Jefferson), 30  
 Anderson, Sherwood, 276  
 Antietam, 170  
 Anti-federalists, 22, 80-1
- Appalachians, 69,79  
 Arbuthnot, Alexander, 92  
 Archduke Franz Ferdinand, 195  
 Argentina, 98,121  
 Argonne Forest, Battle of, 208  
 Arizona, 137  
 Arkansas, 128,131,162  
 Arkansas River, 94  
 Article 231(War Guilt Clause),  
     Versailles Treaty, 222,224  
 Article II, U.S. Constitution, 17-8  
 Article VI, U.S. Constitution, 18,25  
 Article X, League of Nations Covenant,  
     219-21,226-7,  
     232-3,236  
 Articles of Confederation,  
     14,16,18,33,38  
 Atlanta, Battle of, 179  
 Austria, 98,103,223  
 Austria-Hungary,  
     194,206,213,215,217,223-4  
 Axis Powers,104  
 Axson, Stockton, 202
- Bacon, Francis, 53  
 Badger, Anthony, 271  
 Balkans, 223  
 Baltimore, Maryland, 86  
 Bank of the United States, 35  
 Banking Act of 1935, 267,292  
 Barbados, 9  
 Baruch, Bernard M., 210,264  
 Baton Rouge, Louisiana, 280  
 Bay of Pigs, Cuba, 20,98  
 Beauregard, General, 162  
 Belgium, 213,217,225  
 Bell, John, 160  
 Belleau Wood, Battle of, 209  
 Bellow, Saul, 284

- Bemis, Samuel Flagg, 39  
 Berle, Adolf A., 263-4  
 Berlin, Germany, 198  
 Bible, 129,189  
 "Big Bill," Emergency Relief Appropriations Bill, 281-2  
 "big stick" diplomacy, 185  
 Bill of Rights, U.S. Constitution, 2,80  
 von Bismarck, Chancellor Otto, 105,194  
 black people, blacks, 48-9,123,127-8, 132,134,148,151,153,162,167-8, 172,175,179-80,246  
 Black Hawk Indians, 146  
 black Thursday,245  
 black Tuesday, 245  
 Bladensburg, Maryland, 85  
 Blair, Postmaster, 168  
 Bleeding Kansas, 140  
 Bliss, Tasker, 216  
 Blum, John Morton, 189,233  
 Bolsheviks, Bolshevik Revolution, 211-3,217  
 Bonus Army, 248,279  
 Borah, Sen. William, 201,227  
 border slave states, 170  
 border states, 162  
 Boston, Massachusetts, 12,123,251-2  
 Brain Trust, 263  
 Brandeis, Eleanor Raushenbush, 287  
 Brandeis, Justice Louis D., 287,290  
 Brandywine, Battle of, 78  
 Brazil, 121  
 "break the heart of the world," 221  
 Breckinridge, John C., 160  
 Brest-Litovsk Treaty, 214,216  
 "broad construction" (U.S. Constitution), 34,66  
 Brooks, Congressman Pressman S., 141  
 Bryan, Secretary of State William Jennings, 201  
 Bryn Mawr College, 190  
 Buchanan, President James, 152,154-5, 158,160  
 Bull Moose Party, 192  
 "bully pulpit," 255  
 Bunker Hill, Battle of, 90,123  
 Burgesses, Virginia House of, 11,44, 76-7  
 Burns, Robert,145  
 Burr, Aaron, 51,53-4,78  
 Burwell, Rebecca,42  
 Bush, President George H.W., 4,302  
 Bush, President George W., 20,302  
 Butler, Pierce, 118  
 Butler, General Benjamin, 164  
 Butler, Senator Andrew Pickens, 141  
 Byron, Lord, 145  
 Calhoun, John C., 88-9,92-3, 97, 100, 103,105,120,133-4, 137-8,153  
 California, 136-8,276,300  
 Cambodia, 20  
 Cameron, Secretary of War Simon, 164  
 Campobello Island, 250,257  
 Canada, 63,85,90,104,121  
 Canning, Minister of Foreign Affairs George, 98-101  
 Caribbean, 121  
 Cass, Secretary of State Lewis, 104  
 Cecil, Lord Robert, 219  
 Central America, 2,157  
 Central Powers, 196-7,205  
 Charles IV, 59  
 Charleston, South Carolina, 79,133,174  
 Charlottesville, Virginia, 42  
 Chattanooga, Battle of, 178  
 checks and balances, 2,19  
 Cherokee Indians, 68,71  
 Chicago, Illinois, 169,246  
 Chicago Board of Trade, 266  
 Chickasaw Indians, 68  
 Chief Justice of the United States, 23  
 Chile, 98  
 China, 193,223,234,250,303  
 Choctaw Indians, 68  
 Churchill, Prime Minister Winston S., 186  
*City of Memphis, Illinois* (ship), 205  
 civil liberties, 186,238  
 civil rights, 4,121,176,180,296,301,  
 Civil War,  
     30,37,106,119,121,131,139,141,151,  
     154-5,158,180,184,187,195,295-6,  
     300  
 Civil Works Administration, 271-2  
 Civilian Conservation Corps, CCC,  
     270,281-2

- Commodity Credit Corporation, CCC, 269
- Clay, Henry, 89,91,93-5,97,103,120,132,138-9,148
- Clemenceau, Premier Georges, 218
- Cleveland, President Grover, 104,250,300
- climate change, 303
- Cockspur Island, 164
- Cold War, 98,302
- Colombia, 98
- Colorado, 95,137
- Columbia Law School, 254
- Columbia University, 23,263
- Commerce Clause, U.S. Constitution, 125
- Committee on Public Information, The, 209
- Communism, 276,280,301
- Compiègne, France, 216
- Compromise of 1850, 139-40
- Concord, Massachusetts, 11,44
- Confederacy, 120,161-2,167,178,188
- Confederate Army, 162,170,180
- Congressional Government* (Woodrow Wilson), 190
- Connecticut, 123
- Conscription, 78,87,107,176,208
- consent of the governed, 2,7,46,121,203,228
- Constitution of the United States, 2,8,17-22,24,27,29,32-3,38-9,50-1,53,64,66,71,80,87,93,104,120-1,125,134,139-40,149,151, 153,226,286,302
- Constitutional Convention of 1787, 16,18,25,124
- Constitutional Union Party, 160
- Continental Congresses, 5,11-12,14,16,23,44-5 47,76,79,123-4
- Convention of 1818, 90-1
- Coolidge, President Calvin, 243
- Cooper, John Milton, 203
- Cooper Union, 159
- Cosway, Maria, 43
- Coughlin, Reverend Charles Edward, 277
- Council of Four, 218
- Council of Ten, 218
- Covenant of the League of Nations, 214,219,221,235-6
- Cox, Samuel S., 162
- Cox, James M., 256
- Crawford, William Henry, 93,103
- Creek Indians, 92
- Crisis* (Thomas Paine), 77
- Crittendon Compromise, 161
- Cuba, 104,157,193
- Cummings, Attorney General Homer, 285-6
- Curtis, Justice Benjamin, 152
- Czechoslovakia, 224-5
- Daniels, Josephus, 254
- Davidson College, 189
- Davis, Jefferson, 161
- Debs, Eugene V., 192,209
- Declaration of Independence, 29,41,44-5,56,60,103,105,124,149-51,153,156,161,178,182,235,302
- Delaware, 123,128,162,167,171,173,179
- Democratic Party, 37,141,154,158,181,188,190-1,217,232-3,249,254,276,291,293,295-6,298
- Depression (Great Depression), 29,240,245, 246,252,262,265,269
- desegregation, 4
- Detroit, Michigan, 246
- Dewey, John, 276
- “diktat,” 224
- Dinner Deal (Compromise of 1790), 29
- direct taxation, 80
- discrimination, racial, 4,5,126,179
- District of Columbia, 165,167,248
- Dominican Republic, 58,193
- Dos Passos, John, 276
- Douglas, Paul H., 276
- Douglas, Senator Stephen A., 120,139-40,149,154-62
- Douglas, William O., 275
- Douglass, Frederic, 129,170,175,177
- Dred Scott v. Sandford*, 131,150-2,154,158-9
- DuBois, W.E.B., 127,166
- due process of law, 179
- Dunmore, Governor, 76
- DuPont de Nemours, Pierre, 60-1

- East Florida, 57,65,91  
 Eaton, John, 174  
 Eccles, Marriner, 264  
*Economic Consequences of the Peace, The*  
 (Keynes), 223  
 Edwards, Matilda, 147  
 Eisenhower, Dwight D., 248,301  
 Electoral College, Electoral Votes,  
 19,21,51,54,87,160,192,249  
 Elizabeth, New Jersey, 22  
 emancipation, 70,123,132  
 Emancipation Proclamation,  
 4,114,148,161-181  
 Emergency Banking Act, 266  
 Empire of Liberty, 57-8,63,66,69  
 England, 26,92,194,204  
 Enlightenment, 7,41,53,78,122  
 environmental damage, degradation,  
 303  
 equal protection of the laws, 179  
 Era of Good Feelings, The, 88  
 Erzberger, Matthias, 214,216  
 Espionage Act of 1917, 209  
 Estonia, 214  
 Europe, 3,16,26,30,47,50,57-  
 8,63,75,77,163,185,194,198,216,  
 224-5,250,301  
 European Powers, 96,101-2  
 ex post facto law, 15,18  
  
 Fair Labor Standards Act, 291  
 Far East, 193,225  
 Farewell Address, Washington,  
 39,97,185  
 Farm Credit Act, 269  
 Farm Credit Administration, 269  
 Federal Arts Project, 283  
 Federal Deposit Insurance Corporation,  
 FDIC, 267,273  
 Federal Farm Loan Act, 193  
 Federal Home Loan Bank Board, 247  
 Federal Music Project, 283  
 Federal Open Market Committee, 267  
 Federal Reserve System,  
 3,37,193,243,247,266-7,292,300  
 Federal Theater Project, 284  
 Federal Trade Commission, FTC,  
 3,193,243,300  
 Federal Writers Project, 283  
  
*Federalist Papers, The* (Hamilton, Jay,  
 Madison), 24,28  
 Federalist Party, Federalists, 51,54-  
 6,58,68,82,87-8,96  
 Fehrenbacher, Don E., 126  
 feminists, 132  
 Federal Emergency Relief  
 Administration, FERA, 270-1  
 Ferdinand VII, 96,98-9,101  
 Ferguson, Niall, 223  
 Fifteenth Amendment, U.S.  
 Constitution, 179  
 Fifth Amendment, U.S. Constitution,  
 152  
 Fillmore, Millard, 139-40  
 Finland, 213  
 First Confiscation Act, 165  
 First Gulf War, 98  
 Florida, 2,3,69,83,90,92-5,128,161,  
 164,300  
 Florida Keys Highway, 283  
 Floridas, 57-8,60-2,91,94  
 Foch, Marshall, 216  
 Foner, Eric, 142,158  
 Fort Duquesne, 11  
 Fort McHenry, 86  
 Fort Pulaski, 164  
 Fort Scott, 92  
 Fort Sumter, 162-3  
 Fort Wagner, 174  
 Fortress Monroe, 164  
 Forgotten Man Speech, 261  
 Fourteen Points, 212-3,215-6,218,  
 222-3,225  
 Fourteenth Amendment, U.S.  
 Constitution, 179  
 Fowltown, 92  
 France, 13,26,30,47,49,52,57-  
 8,63,70,80-1,83-5,90,94,98,104,  
 194-6,214,218,223,225,246,250  
 Franco-Prussian War, 194  
 Franklin, Benjamin, 47  
 Fredericksburg, Virginia, 86  
 free soil, 142  
 Freedmen's Bureau, 174  
 freedom of religion, 45-6  
 freedom of thought, 47  
 Freeport Doctrine, 157  
 Freemont, John C., 150,164

- French and Indian War, 11
- French Empire, 58
- French Revolution, 49,51,81,97
- Fugitive Slave Clause, U.S. Constitution, 125,161
- Fugitive Slave Law, 125,127,139,160,164,171
- Fuller, Ida M., 290
- G.I. Bill, 4
- “gag” rule, 134
- Gaines, General Edmund, 92-3
- Gallatin, Treasury Secretary Albert, 66
- Garrison, William Lloyd, 126,132,162
- George III, 17,19,45,124
- Georgia, 92,124,128,161,164,187
- German Empire, 194,217,223
- Germantown, Battle of, 78
- Germany, 186,195-6,204-7,211,217, 222-5,250,279
- Gettysburg , Battle of, 178
- Gettysburg Address, 121,178
- Ghent, Treaty of, 78-8,90
- Glass-Steagall Banking Act, 267,273
- global warming, 4
- graduated profits tax, 208
- Grant, Ulysses S., 174
- Gray, Foreign Secretary Edward, 198
- Grayson, Dr. Cary T., 220,231
- Great Britain, 7,13,15,30,47,51,57-9,70, 75,83-5,87-8,91-2,98,102-4,122-3, 135,162,167,177,196,199,218,223, 225
- Great Lakes, 85,90
- Greeley, Horace, 169
- Groton School, 251
- Guantanamo Bay, Cuba, 20
- Gulf of Mexico, 57
- habeas corpus, 176
- Haiti, 58,193
- Hamilton, Alexander, 17,22-3,25-38,50, 52,54,60,78,81,87,109,122,176,300
- “Hands Off,” 102
- Hapsburgs, 195
- Harding, President Warren G., 243,256
- Harlem Heights, Battle of, 78
- Harrison, William Henry, 71
- Harvard Law School, 249
- Harvard University, 88,201,252
- Havana, Cuba, 185
- Hawaii, 3,185,301
- Hawley-Smoot Tariff, 247
- Hemings, Sally, 43
- Henry, Patrick, 22
- Hillhouse, Representative James, 72
- Hitchcock, Senator Gilbert M., 232
- Hitler, Adolf, 222-5
- Hoban, James, 103
- Holland, Netherlands, 13,88
- Holy Alliance, 98-101,103
- Homestead Act, 176
- Hoover, Herbert, 210,215,217,223, 245-9,261,263
- Hopkins, Harry, 118,260,270,271, 282-3,285,297
- House, Colonel Edward M., 89,198,211,214-6,218-9,222
- House Divided* (Abraham Lincoln), 155-6
- House of Representatives, 19,32,51,54,80,89,125,131,134,160
- House-Gray Memorandum, 198,202
- Houseman, John, 284
- Howe, Louis, 254,257
- Hughes, Charles Evans, 202,216
- Hughes, Langston, 276
- human rights, 4,186,191
- Hundred Days, 265
- Hungarian Revolution, 98
- Hungary, 233
- Hunter, Major General David, 164
- Huston, John, 284
- Hyde Park, 249
- Ickes, Harold, 276,282
- Idaho, 94
- Illinois, 47,151,160,171
- Imperial War Cabinet, 219
- implied powers (U.S. Constitution), 20,33,50
- India, 303
- Indians, Native Americans, 40,47-8,67, 72,89,92,168
- Indiana, 47,144,160,171
- Inquiry, The, 214
- Internal Revenue Law, 176
- International Atomic Energy Agency, IAEA, 238

- Iraq, 97,302  
 Ireland, 197  
 Irreconcilables, 227  
 Isolationism, 48,201,204,221  
 Italy, 194,218,223,234,246  
  
 Jackson, Andrew, 37,71,82,89,92-4,96-7, 103,134,141,300  
 Jamestown, Virginia, 122  
 Japan, Japanese, 218,223,225,234  
 Jay, John, 23-4,79,81-2  
 Jefferson, Jane (sister), 42  
 Jefferson, Jane Randolph (mother), 42  
 Jefferson, Martha (sister), 42  
 Jefferson, Martha Wayles Skelton (wife), 43  
 Jefferson, Patsy (Martha)(daughter), 43  
 Jefferson, Polly (Maria)(daughter), 43-4  
 Jefferson, Peter (father), 42  
 Jefferson, Thomas, 1,2,5,40-41; early life, 42-3; personal life, 43-4; and independence, 44-5; Virginia politics, 45-7; pre-Presidential career and political philosophy, 46-9,50-53; election of 1800, 53-4; as President, 55-6; and the Empire of Liberty, 48,57,66-9, and the Louisiana Purchase, 57-64, 65-68; and broad construction of the Constitution, 66; and Indians/Native Americans, 47-9,71-2; and slavery/black people, 47-9,71-2; and Presidential power, 70; and Monroe, 74-6,78-80,83,87,89; and Lincoln, 120,124,131,134  
 Johns Hopkins University, 190  
 Johnson, President Andrew, 3,104,175,179,301  
 Johnson, President Lyndon, 193,286,301  
 Johnson, Senator Hiram, 276  
 Jones, Judge Joseph, 76,79  
  
 Kaiser Wilhelm II, 215-6,225  
 Kansas, 153-4,171  
 Kansas Territory, 140  
 Kansas-Nebraska Act, 140-1,149,153-4  
 Kennan, George M., 237  
 Kennedy, Joseph P., 264,273,275  
 Kennedy, President John F., 1,4,20,72,89,104,193,273,301-2  
 Kennedy, Robert F., 89  
 Kentucky, 79,89,127-8,130,143-4,162-4, 167-8,173,179  
 Keynes, John Maynard, 223,245,264,298  
 Kiel Mutiny, 215  
 King, Rufus, 87  
 Kissinger, Henry, 198,237  
 Know-Nothing Party, 141-2  
 Kuwait, 98  
 Kyoto Protocol, 238  
  
*Laconia* (ship), 205  
 Lafayette, Marquis de, 26,78,82,103  
 LaFollette, Senator Robert, 276  
 LaGuardia Airport, 283  
 land grant colleges, 176  
 Landis, James M., 275  
 Lansing, Secretary of State Robert, 202,204,216,218  
 Latin America, South America, 2,90,95,97-9,102-4,185,193  
 "Laws of Nature and of Nature's God," 45,235  
 League of Nations, 4,187,200-202,211,216,221,224,226-7,229,232,234-5,256,294,301  
 League of Nations Commission, 219  
 League to Enforce Peace (LEP), 199,201  
 LeClerc, General, 59,63  
 Lecompton Constitution, 150,153-4  
 Lee, General Robert E, 170  
 LeHand, Missy, 257  
 Lenin, Vladimir, 212  
 Leuchtenberg, William, 266  
 Lever Act, 209  
 Lewis and Clark, 63  
 Lexington, Massachusetts, 11,44  
*Liberator; The* (William Lloyd Garrison), 132  
 Liberia, 106,132,148  
 Lincoln, Abraham, 1,3,4,5,45,119-121, 132; early life, 143-6; young Lincoln and slavery, 146-7; marriage and family, 147; pre-Presidential career, 147-61; and *Dred Scott v. Sandford*, 150-3;

- slavery and Lincoln's political goals, 149-50,155,159,165; and the Kansas-Nebraska Act, 153-6; and Senator Douglas, 155-9; running for President, 159-61; early Civil War strategy, 161-6; and the Emancipation Proclamation, 166-77; and Gettysburg, 178; and strategy after the Proclamation, 178-80; place in history, 180-3; and Jefferson, 72; and Monroe, 90,105; and Wilson, 238; and Franklin Roosevelt, 280
- Lincoln, Eddie (son), 147
- Lincoln, Nancy Hanks (mother), 143
- Lincoln, Nancy Bush Johnson (stepmother), 144
- Lincoln, Mary Todd (wife), 147
- Lincoln, Robert (son), 147
- Lincoln, Sarah (sister), 143
- Lincoln, Tad (Thomas) (son), 147
- Lincoln, Thomas (father), 143
- Lincoln, Willie (son), 147
- Lincoln Tunnel, 282
- Lincoln-Douglas Debates, 156-9
- Link, Arthur S., 188,204
- Lithuania, 214
- Livingston, Robert, 60,63,65-6
- Lloyd George, Prime Minister David, 214,218
- Locke, John, 53
- Lodge, Senator Henry Cabot, 185, 200-1,216,219,221,232-3
- London, England, 44,198
- Lone Star Republic, 135
- Long, Huey (Kingfish), 277-80,293
- Lord Byron, 145
- Losey, Joseph, 284
- Louisiana, 90,95,126,128,131,161,278
- Louisiana Purchase, 3,37,41,47,56-72, 74,95,104,131
- Louisiana Territory, 57-8,71,74,131
- Lovejoy, Elijah P., 146
- Lowell, A. Lawrence, 201
- loyal slave states, 173
- Lusitania* (ship), 197,199
- MacArthur, General Douglas, 248,279
- Madison, James, 14,17,19,22,24,27-30, 33,35,38,51-2,60,63,74,76-7,79-81, 83-6,131
- Madison, Dolley, 86
- Magnolia Draft (League of Nations Covenant), 214
- Maine, 131
- Maine, Battleship* (ship), 185
- Malone, Dumas, 42
- Manchuria, 234
- Manifest Destiny, 134,137,140,157
- Manumission, 123,127
- margin (stock purchase), 244,274-5
- Marne, First Battle of the, 195
- Marne, Second Battle of the, 208,214
- Marshall, John, 34,76
- Marshall Plan, 4,237,301
- Marshall, Vice President Thomas, 231
- Maryland, 29,32,123,128,162-4,167,173
- Massachusetts, 23,123,241
- McClellan, General George A., 162,166,170
- McCulloch v. Maryland*, 34
- McKinley, President William J., 3,185,193
- Medicaid, 4,286
- Medicare, 4,286
- Mercer, Lucy, 255,257
- Metternich, Prince, 103
- Meuse, Battle of the, 209
- Mexican War, 136,148
- Mexico, 98,104,135-7,205,300
- Michigan, 47,171
- Middle East, 63,223,225
- Militia Act, 165
- Miller, David Hunter, 214
- Minnesota, 57
- Mississippi, 57,128,131,161,174
- Mississippi River, 42,47,57-8,60,62, 68-9,79,90-2,131,175
- Mississippi Territory, 131
- Missouri, 96,128,131,151-2,162-4,167, 173
- Missouri Compromise, 95,106,120,131,136-8,140,141,149, 151-2
- Missouri Territory, 131
- Modern Democratic State, The* (Woodrow Wilson), 190
- Moley, Raymond, 263



- Monmouth, Battle of, 78  
 Monroe, Andrew (brother), 76  
 Monroe, Elizabeth (sister), 76  
 Monroe, Elizabeth Kortright (wife), 79  
 Monroe, Eliza (daughter), 80  
 Monroe, James, 1,2,5,74;  
     early life, 76-7; marriage, 80;  
     pre-Presidential career, 77-87; and  
     presidential power, 89,97; and the  
     expansion of the country, 91-96; and  
     the War of 1812, 85-87; and Andrew  
     Jackson, 89,92-4; and John Quincy  
     Adams, 88,100-1; political  
     philosophy and old regimes, 78-81,  
     83-4,98; Monroe Doctrine, 96-103;  
     his place in history, 104-7,300; and  
     Jefferson, 62-3,65,79,82; and  
     Lincoln, 131; and Wilson, 185  
 Monroe, Joseph (brother), 76  
 Monroe, Maria (daughter), 80  
 Monroe Doctrine, 2,4,69-70,75,84,  
     98,101-2,104,185,200,203,221,301  
 Monrovia, Liberia, 106  
 Montana, 276  
 Montenegro, 213  
 Monticello, 40,47,50-1,54,65,84  
 Morgenthau, Secretary of the Treasury  
     Henry, 285,289  
 Morris, Gouverneur, 124  
 Moses, Robert, 283  
 Mott, Lucretia, 132  
 Mount Holyoke College, 285  
 Mount Vernon, 8-10,21  
 Muller, Herbert J., 235
- Napoleon Bonaparte, 58-9,61,63-4,70,  
     85,91  
 Napoleonic Wars, 75,80,90,98  
 Nashville, Tennessee, 138  
 National Bank (Bank of the United  
     States), 31-5,37,53,66  
 National Banking Act, 176  
 National Debt, 23-30  
 National Defense Act, 198  
 National Guard, 198  
 national health insurance, 4,36  
 National Industrial Recovery Act  
     (NIRA), 264  
 National Labor Relations Act of 1935  
     (NLRA), 290-1
- National Labor Relations Board  
     (NLRB), 291  
 National Recovery Administration  
     (NRA), 294  
 national security, 5,91,236  
 National Union for Social Justice, 278  
 National Youth Administration, NYA,  
     282  
*Native Son* (Richard Wright), 284  
 Necessary and Proper Clause, U.S.  
     Constitution, 20,32-4  
 Nevada, 137  
 New Brunswick, Canada, 250  
 New Deal,  
     4,36,247,262,264,270,276,278-80,  
     284,291-4,296-8  
 New England, 28,35,123,127,132,171  
 New Hampshire, 123,251  
 New Jersey, 22,123,160,171,190  
 New Mexico, 136-8,205  
 New Orleans, 57,59-62,64,91  
 New Orleans, Battle of, 89  
 New Salem, Illinois, 144-5  
 New York, 54,123,151,171  
 New York City, New York, 12,21-2,29,  
     79,251  
 Newport, Rhode Island, 123  
 Newton, Isaac, 53  
 Nicolay, John, 147  
 Nixon, President Richard M., 20,302  
 Nobel Peace Prize, 200,232  
 Noriega, Manuel, 98  
 "normalcy," 234,243,256  
 North Carolina, 128,162,189  
 Northern Democrats, 155,160,163  
 Northwest Ordinance, 47,71,79,126,130  
*Notes on the State of Virginia* (Thomas  
     Jefferson), 47-8  
 National Security Agency (NSA), 20  
 Nuclear Non-Proliferation Treaty, 238
- O'Sullivan, John L., 134  
 Obama, President Barack, 286,300,302  
 Oglethorpe University, 262  
 Ohio, 11,47,171  
 Ohio River, 68  
 Oklahoma, 95,137  
 Old Age Insurance, 287  
 Onís, Don Luis de, 91,94



- Open Market Committee, 292
- Oregon, 3,91,94,104,136
- Oregon Territory, 135
- Oregon Treaty, 135
- Orlando, Premier Vittorio, 218
- Orleans Territory, 131
- Ortega y Gasset, Jose, 104
- Oslo, Norway, 232
- Ottoman Empire, 207,213,223
  
- Paine, Thomas, 77,82
- Palmerston, Prime Minister Lord, 177
- Panama Canal, 186,193
- Paris, France, 198
- Paris Peace Conference, 214,216,218,220-1,233
- Paris, Treaty of, 15
- Patient Protection and Affordable Care Act of 2010 (ObamaCare), 286,302
- Patton, George M., 248
- Peabody, Reverend Endicott, 251,261
- Peace of Amiens, 58,61
- “Peace Without Victory” (Wilson), 203,222
- Pecora, Ferdinand, 273
- Pennsylvania, 29,123,125,160,171,242
- Pensacola, Florida, 93
- Perkins, Labor Secretary Frances, 284-8
- Pershing, General John J., 209
- Peru, 98
- Philadelphia, Pennsylvania, 11,29,32
- Philippines, 4,185,193,301
- Phillimore, Sir Walter, 214
- Pichon, Ambassador, 59
- Pierce, President Franklin, 140,155
- Pinckney, Charles Cotesworth, 53-4,125
- Pinckney, Thomas, 51
- Pinckney, Timothy, 81
- Poland, 213,224-5
- polio, 256-7
- Polk, President James K., 104,135-6
- Pollack, Jackson, 283
- Pope Benedict XV, 211
- popular sovereignty, 139-41
- Porcellian Club, 292
- Portugal, 88
- Potomac River, 29-30,32-3
- Potter, David M., 136,152
- Princeton University, 189-91
- Proclamation of Neutrality, 196
- Progressive Movement, 191,242
- progressive income taxes, 208
- Progressive Party, 192,268
- Prosser, Gabriel, 133
- “Protestant Ethic”, 132
- Providence, Rhode Island, 123
- Prussia, 88,98
- public education, 45-6
- Public Works Administration (PWA), 282
- Pueblo, Colorado, 230
- Puerto Rico, 185,301
  
- R.O.T.C., 198
- Radical Republicans, 166,176
- Raushenbush, Paul, 187
- Rural Electrification Administration (REA), 282
- Reagan, President Ronald W., 4,302
- Reconstruction, 178-9,188
- Reconstruction Finance Corporation (RFC), 247,266
- Red River, 94
- Reichstag, 211
- “rendezvous with destiny” (Franklin Roosevelt), 296
- Reparations, 216,218
- Report on a National Bank* (Alexander Hamilton), 31
- Report on Public Credit* (Alexander Hamilton), 26-7
- Republican Party (Jeffersonian), 36, 51-5,67,69,74,81-2,84-5,87-9,97,
- Republican Party (modern), 142,150,153-5,158,216,217,221,227, 233-4,243,244
- Reservation (Versailles Treaty), 232-3
- Revolution, American, 11,78
- Revolution of 1800, 54,68
- Revolutionary War, 5,46,120
- Rhine River, 216
- Rhineland, 223,234
- Rhode Island, 25,123
- Richmond, Virginia, 47,79,133,162,168
- right to privacy, 4
- right to vote, 179
- Rio Grande River, 136
- Rochambeau, General, 13

- Rocky Mountains, 57,91  
 Roosevelt, Anna (Eleanor's mother), 253  
 Roosevelt, Eleanor (wife), 253,255-7, 284,294  
 Roosevelt, Elliott (Eleanor's father), 253  
 Roosevelt, Franklin, 1,3,4,193;  
     early life, 249-54; marriage and family, 253-4; personal life, 255-9; and polio, 256-9; pre-Presidential career, 254-6,259-62; election to Presidency, 262-3; and the New Deal, 263-93; and political opposition, 276-80; and his place in history, 294-99,300,302; and Harry Hopkins, 270-2,281-3; and Joseph Kennedy, 272-5; and Henry Wallace, 268-9; and Frances Perkins and Social Security, 285-90,294; and Eleanor, 253-7  
 Roosevelt, James (father), 249-50  
 Roosevelt, Sara Delano (mother), 249-51,254  
 Roosevelt, Theodore, 3,185,192-3,200, 209,242,251-5,300  
 Roosevelt Corollary (to Monroe Doctrine), 186  
 Root, Elihu, 216  
 Rough Riders, 252  
 Round Robin Document, 221  
 Rumania, 213  
 Rush, Ambassador Richard, 99,101  
 Russia, 88,90,98,100,102,142,194,212-214,224  
 Russo-Japanese War, 200  
 Rutledge, Ann, 147  
  
 Saar, 223  
 Sabine River, 94  
 "sacred fire of liberty" (George Washington), 22  
 "safe for democracy" (Woodrow Wilson), 207  
 Salem, Massachusetts, 123  
 Samoa, 185  
 San Diego, California, 228  
 San Francisco-Oakland Bay Bridge, 283  
 Santa Anna, 135  
 Santo Domingo, 58-9,63  
 Sarajevo, Serbia, 195,237  
 Schlesinger, Arthur M. Jr., 258  
 Securities and Exchange Commission (SEC), 273,296  
 Secession, 138-9,156,158,161  
 Second Confiscation Act, 165  
 Second Hundred Days, 265  
 Securities Act of 1933, 273,275  
 Securities Act of 1934, 275  
 Sedition Act of 1918, 209  
 Selective Service Act, 208  
 Seminole Indians, 71,92  
 Senate, U.S., 19,95,131,150,196,226, 233-4  
 Seneca Falls, New York, 132,276  
 separation of church and state, 4,46  
 separation of powers, 19  
 Serbia, 213  
 Seven Years' War, 57-8  
 Seventh of March Speech (Daniel Webster), 138  
 Seward, William, 142,160,168  
 Shakespeare, William, 145  
 Shantung, 223  
 Share the Wealth Society, 279,293  
 Sharpsburg, Maryland, 170  
 Shaw, Robert Gould, 175  
 Shawnee Indians, 68  
 Shays, Daniel, Shays' Rebellion, 25  
 Sherman, General William Tecumseh, 179,187  
 Sinclair, Upton, 276,293  
 Skyline Drive, 283  
 slave trade, 123-5  
 Slave Trade Act of 1807, 125,127  
 Slave Trade Clause, U.S. Constitution, 125,126  
 slavery, slaves, 3,45,47,71-2;  
 slavery in early America, 119-130;  
     slavery and the expansion of the country, 130-143  
 Smith, Adam, 24,122  
 Smith, Governor Al, 259,261  
 Smuts, Jan, 219,222  
 Social Security, 5,277,285-6,288,297  
 Socialism, 192,195  
 South Carolina,  
     18,51,53,89,124,128,161,164,187  
 Southern Democrats, 158,160  
 Southwest Territory, 130  
 Soviet Union, 212,246

- Spain, 51,57-8,63,79,83-4,90-1,93-4,96, 98,100
- Spanish Empire, 91-2
- Spanish Intendant, 62
- Spanish-American War, 182,252,301
- special acts,15
- “spoils system,” 57
- Springfield, Illinois, 146
- St. Augustine, Florida, 93
- St. Louis, Missouri, 146
- St. Marks, Florida, 92
- St. Mihiel, Battle of, 208
- Stampp, Kenneth M., 133
- Stanton, Elizabeth Cady, 132
- Stanton, Secretary of War Edwin M., 168
- Star-Spangled Banner, 86
- states’ rights, state power, 23,28,50,89
- Staunton, Virginia, 187
- staying laws, 15
- Stock Market Crash of 1929, 252
- Stowe, Harriet Beecher, 140
- Strategic Arms Limitation Treaty, 4
- “strict construction” (U.S. Constitution), 32,36
- Submarine, U-Boat, 197,202,204-6
- Summary View of the Rights of British America, A* (Thomas Jefferson), 44
- Sumner, Senator Charles, 141,162
- Supremacy Clause, U.S. Constitution, 18
- Supreme Court of the United States, 20,151,157-9,264,294,301
- Sussex* (ship), *Sussex Pledge*, 199
- Taft, William Howard, 186,192-3,216
- Talleyrand, Foreign Minister, 52,61,63
- Tallmadge, Representative James, 131
- Taney, Chief Justice Roger B., 151-3, 155
- Taylor, President Zachary, 138-9
- tender laws, 15
- Tennessee, 89,128,130,162,173-4
- Tenth Amendment, U.S. Constitution, 20,33,152
- terrorism, 303
- Texas, 2,69,94-5,104,128,135-7,161,300
- Third Reich, 224
- Thirteenth Amendment, U.S. Constitution, 197
- Thomas Amendment, 131
- Thomas, Norman, 276
- Three-Fifths Clause, U.S. Constitution, 125,161
- Tippecanoe, Battle of, 71
- Touissant L’Ouverture, 58
- Townsend, Dr. Francis Everett, 277
- Trail of Tears, 71
- Transcontinental Railroad, 176
- Transcontinental Treaty, 76,82,95, 97,104
- Trenton, Battle of, 12,22,75,77-8
- Triborough Bridge, 282
- Triple Alliance, 194
- Triple Entente, 194,214
- Truman, President Harry S., 193,268,301
- Trumbull, Lyman, 150
- Tsar Alexander, 99
- Tsarist Empire, 211,214
- Tugwell, Rexford G., 263-4
- Tumulty, Joseph, 231
- Turner, Nat, 133
- Tuyt, Baron, 99,100
- Twenty-Fifth Amendment, U.S. Constitution, 231
- two-party system, 36,41
- Tyler, President John, 135
- Ukraine, 213
- Uncle Tom’s Cabin* (Harriet Beecher Stowe), 140
- Unemployment Insurance, 285
- Union, 30,121,135,138-9,140-1,150, 152,157-8,160,162-81,181
- Union Army, 162,164-5,180
- Union College, 249
- United Nations, 3,4,237-8,294,301
- United Nations Framework Convention on Climate Change, 238
- University of Virginia, 42,103,190
- Utah, 137-8
- Valley Forge, Battle of, 12-3,77
- Venezuela, 104
- Versailles, Treaty of, 214,216,222-5, 233-4
- Vesey, Denmark, 133
- Vicksburg, Battle of, 178
- Vietnam, 98

- Vigilancia* (ship), 205  
 Virgin Islands, 24  
 Virginia, 8,10,28-30,32,35,38,45-6,49, 62,76,79-80,82,84,123,128,132,162, 164,166
- Wagner, Senator Robert, 289  
 Wallace, Henry A., 268,285  
 War Democrats, 162  
 War Industries Board, 210  
 War of 1812, 71,74- 5,77,85,87,89,91,131,185  
 Warm Springs, Georgia, 258  
 Washington, Bushrod (nephew), 132  
 Washington, Eleanor Parke Custis (Nelly) (grandchild), 10  
 Washington, George, 1,2,5,7-8; early life, 8-9; personal life, 9,10; pre-Presidential career, 11-13; and the making of the Constitution, 16-18; as first President, 21-23,25,38; and a national economy, 20-1,24-38; and federal power, 12-13,15-18, 24-26,28,30,38-9; and broad construction of the Constitution, 33-4; and Jefferson, 40-1,50,53; and Monroe, 73,77,89,99; and Lincoln, 121,134,176; and Wilson, 185; and Franklin Roosevelt, 300  
 Washington, George Parke Custis (Little Washington) (grandchild), 10  
 Washington, John (Jackie)(step-child), 10  
 Washington, Lawrence (brother), 8,9  
 Washington, Martha (Patsy)(step-child), 10  
 Washington, Martha Dandridge Custis (wife), 10,41  
 Washington (state), 91  
 Washington, D.C., 85-6  
 Webster, Daniel, 120,138  
 Weimar Republic, 222  
 Welles, Orson, 284  
 Welles, Secretary of the Navy Gideon, 167-8,284  
 Wentworth, Congressman, 135  
 Wesleyan University, 190  
 West Florida, 57,65  
 Whig Party, 136,138,141,147-8,150  
 Wheeler, Senator Burton, 276  
 White, Henry, 216  
 White House, 73,84,86,103,147,167-8, 170,264,266  
 White Plains, Battle of, 78  
 William and Mary College, 42,77-8  
 Williamsburg, Virginia, 77,79  
 Wilmot, Representative David, 136  
 Wilmot Proviso, 136-9,148  
 Wilson, Edith Bolling Galt (second wife), 196,217,219,231,233-4  
 Wilson, Eleanor Randolph (daughter), 190  
 Wilson, Ellen Louise Axson (first wife), 190,196,233  
 Wilson, James, 17  
 Wilson, Jessie Woodrow (mother), 188  
 Wilson, Jessie Woodrow (son), 190  
 Wilson, Joseph Ruggles (father), 188  
 Wilson, Margaret (daughter), 190  
 Wilson, Woodrow 1,3-5,184  
   early life, 188-90; marriages and family, 189-90, 196,231,234; writings and political philosophy, 190-1; pre-Presidential career, 190-2; first term and World War I, 192-199; vision for peace, 199-204; second term and American involvement, 204-211; the League and the Fourteen Points, 212-215; and the Paris Peace Conference, 215-222, and the Versailles Treaty, 222-225; fighting for the League, 226-234; and Republicans, 232-4; stroke, 230-1; and American history, 235-9, 300-1; and Franklin Roosevelt, 243,254,261,294  
 Wisconsin, 47,151  
 Works Progress Administration (WPA), 282-3  
 Works Projects Administration, 282  
 World Anti-Slavery Conference, 132  
 World Bank, 237  
 World Court, 278  
 World War I, 48,184,187,191,208,233,242-3,248,255,292

World War II, 4, 48, 104, 187, 223-5, 234,  
237, 271, 301

World War III, 98

Wright, Richard, 284

Wyoming, 137

Wythe, George, 42

XYZ Affair, 52-3

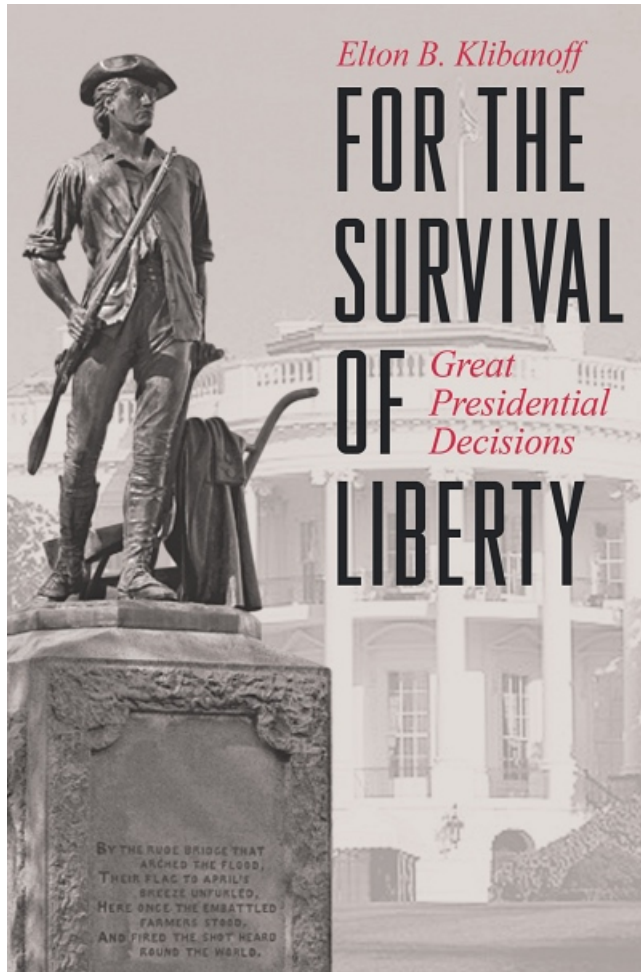
Yorktown, Battle of, 10

Young Men's Lyceum, 146

Yucatan, 104

Yugoslavia, 225

Zimmerman Telegram, 205



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