

CHAPTER XIII

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WHETHER the United States were to become a nation or remain a federation, was the great issue of the 1780's. The controversy was to be settled by the triumph of the nationalists, but it must not be forgotten that there was at the time a large group of able and patriotic men who sincerely believed that a consolidated national government was not only unnecessary but was extremely dangerous to civil liberty. This group included such distinguished names as Patrick Henry, Richard Henry Lee, George Mason, James Monroe, Luther Martin, and Elbridge Gerry. Samuel Adams and Governors Hancock and Randolph also hesitated before crossing the Rubicon of consolidation. Historians may doubt the wisdom of such men, but they cannot doubt their sincerity and patriotism. They have, as a matter of

fact, credited the nationalistic Federalists with a virtual monopoly of political wisdom and studiously overlooked the patriotism of the Antifederalist opposition. The latter our Federalist historians have not attempted to understand.

To George Clinton and his Antifederalist friends a strong centralized government represented the direct antithesis of all that they had fought for in the Revolution. They did not wish to be governed from a far-away capital, taxed by the representatives of other states, and disciplined by standing armies over which they had little or no control. These were just the things that they had objected to under British rule and they wanted no more of them. Wars might have to be fought by federal armies, and treaties negotiated by the agents of a distant Congress; but most of the functions of government could be far better and more safely conducted by their own representatives in the city council or state legislature. They wished to be ruled by their own neighbors in their own state, not by the representatives of a dozen other states gathered at a distant capital. Why was it necessary to create a super-state? After all, the federation had succeeded in winning a major war. These arguments were so convincing to thousands of Americans that had it not been for the great depression of the so-called Critical Period, the federal Constitution would never have been ratified by the states.

George Clinton was one of the towering figures among those in the American states who preferred federation to consolidation. In spite of their protests that they were the true "Federalists," since they wanted to retain the federation, Clinton and his friends became known as "Antifederalists." They preferred to be called "Federal Republicans" but the name never took.

Vigorously as he opposed the extension of the powers of the central government, Clinton always advocated endowing Congress with full authority to carry out the few powers it did possess. As we have seen, he grew impatient of the ineffectiveness of the Congress during the last years of the Revolution. Months before the evacuation of New York he was agreeing with Washington that they ought "to have an Eye to the Support of the Federal Union as the first and principal Object of national Concern," and in the same letter he was express-

ing his distrust of the militia system and advocating a permanent Continental army.¹ Many of his fellow Antifederalists were to dissent vigorously on the subject of a standing army. Hamilton himself could not have objected to Governor Clinton's opening address to the legislature in January, 1784: As the legislators must realize that the blessings they were enjoying flowed from the federal union, he recommended attention to "every measure which has a tendency to cement it, and to give that energy to our national councils which may be necessary to the general welfare."²

Not long after this, however, it became evident that there was in New York a difference of opinion as to how the federal union should be cemented. When the enterprising corporation of Kingston in Ulster County invited the federal Congress to settle in that city, the legislature offered to incorporate the Congress so that it could hold the preferred lands but refused to grant it "exempt jurisdiction" in criminal cases and tied other ungenerous strings to the offer.³ The growing jealousy towards Congressional pretensions was most evident in the long controversy over the proposal to give Congress a five per cent tariff on imports. Even in 1781 when the legislature so promptly voted Congress the right to collect the impost, George Clinton seems to have had serious doubts. New York's principal port would soon be restored to the state; New York needed revenue sadly; and its treasury would welcome the revenue from the customs. One of Clinton's friends remarked that the "Congress being a single body and consequently without checks would be apt to misapply the money arising from it."⁴ Clinton must have agreed that it would be safer in the coffers of the state.

Impelled by these doubts the governor's party repealed the impost grant to Congress in 1783 and substituted for it another arrangement for collection by state agents, an arrangement that was so unsatisfactory to Congress that nothing came of it. Clinton was later to point out that he had never opposed granting the impost to the Congress so long

¹ *Public Papers*, VIII, 145.

² Lincoln, *Messages from the Governors*, II, 196.

³ *Journal of New York Assembly*, March 14, 1783. The governor transmitted the offer to the president of Congress.

⁴ *Public Papers*, I, 179-80; Hamilton, *Works*, Lodge, ed., I, 553.

as the grant did not involve collection by federal agents.⁵ Hamilton, however, declared years later that Governor Clinton did not care in 1783 how the impost was collected so long as Congress got none of it.⁶ It was the northern and river counties of the state, so generally Clintonian in their politics, that were responsible for this refusal to let Congress have the impost on Congress's own terms.

With the return of peace Clinton saw less reason than ever for the impost grant. Congress was managing to make itself less and less popular with the governor—by its Vermont policy, its policy of dealing directly with the Indians, and its inability to drive the British out of the northern posts. The legislature, which was becoming markedly Antifederalist in its politics, ignored another Congressional request for an unconditional grant of the impost in 1784, and began sending hostile delegations to Congress, delegations including such men as John Lansing Jr., Melancton Smith, Peter W. Yates and Abraham Yates Jr., who had no great love for Congress or its works.

By 1785 and 1786 federalism was the most important issue in state politics. Toryism and even paper money were secondary. The new issue was welding together a group of men and interests that by 1787 could properly be called a political party—a party pledged to revolutionize the existing political system by changing the very nature of the federal union. Robert Livingston indicated the nature of the new alliance when he wrote Hamilton in 1785 from Livingston Manor, deploring the depravity of the times but rejoicing in the political union recently achieved in his part of the state. We have, he told Hamilton, now succeeded in "uniting the interests of the Rensselaer, Schuyler and our [Livingston] family, with other Gent^{ms} of property in the County in one interest; by which means we carried the last Election to a man. . . ."⁷ By 1786 it became evident that the leader in New York of these "gentlemen of property" was the capable young son-in-law of General Schuyler, Colonel Alexander Hamilton.

It was also evident by 1786 that Governor Clinton and Colonel Hamilton, who had found so much to agree upon during the war, were

⁵ In the Poughkeepsie Convention, June 28, 1788.

⁶ Hamilton, *op. cit.*, I, 554-55.

⁷ Letter of June 13, 1785, in Hamilton Papers, Library of Congress.

not at all in agreement on the federal issue. Three months after the legislature had voted another unacceptable impost grant to the Congress, the latter body recommended to Governor Clinton that he call a special session to reconsider. This the governor promptly and firmly refused to do. He was, he said, empowered by the constitution to call the legislature into special session only on "extraordinary occasions." As the legislature had voted only a few weeks earlier after due deliberation, fully aware of the importance of the issue, Clinton failed to see what was to be gained by asking it to vote over again.⁸

This reply only served to infuriate the Hamiltonians. Clinton was contemptuous of Congress and his excuses were frivolous. He interpreted "extraordinary occasion" so narrowly only because he did not wish to call the legislature. As for the unwillingness of the legislature to reconsider, the legislature that would have met in August was a new one chosen in April which had had no opportunity to vote on the impost.⁹ The fact that Hamilton himself, who had not been a member of the Assembly of 1785-86, was to represent New York City in the new Assembly, probably accounted in a large part for his desire to have the governor convene the legislature.

When the new legislature finally met in New York in January 1787, Hamilton was there to wage war against Clinton. The governor in his message of January 13 gave his reasons for not having responded to the Congressional request that he call the legislature in the summer of 1787. "I have only to add," he told the lawmakers, "that a regard to our excellent constitution, and an anxiety to preserve unimpaired the right of free deliberation on matters not stipulated by the confederation, restrained me from convening you at an earlier period."¹⁰ Jones, Gordon, and Hamilton were named by the Assembly to prepare the customary reply to the governor's message. They drafted a reply that ignored Governor Clinton's explanation respecting the special session and thus tacitly condemned it. This was the work of Hamilton and Gordon; for Samuel Jones, the third member of the committee, was an Antifederalist. But the Assembly made plain its intention of standing by the

⁸ Clinton wrote twice to the President of Congress. See letter of August 25, 1786 in George Clinton Papers, New York State Library, duplicates.

⁹ Hamilton, *Works*, Lodge, ed., I, 556-57.

¹⁰ Lincoln, *Messages from the Governors*, II, 264.

governor. Only 5 New Yorkers, 3 Albanians, and 1 Richmondite objected, and 39 members approved when Speaker Varick moved to amend the reply to the governor by inserting "approbation of your Excellency's conduct in not convening the Legislature at an earlier period."¹¹ Clinton, and not Hamilton, was master of the situation.

To make it doubly clear that it would have been futile for the governor to assemble the legislature in the summer of 1786, the Assembly again rejected the unconditional impost grant to Congress, 38 votes to 19. Hamilton's first session in the legislature was so far barren of achievement. But perhaps there were other ways to get what he wanted. A federal convention was meeting that summer at Philadelphia.

George Clinton was not enthusiastic over the plan for a convention to revise the Articles of Confederation.¹² He sent the Congressional resolution on the subject to the legislature without comment or recommendation, phrasing his brief message in such a way as to make it clear that the legislature could not offend him by ignoring the matter altogether.¹³ Although the convention was not ignored, the Antifederalist legislature sent to Philadelphia two friends of Clinton, Robert Yates and John Lansing, and only one Federalist, Hamilton himself. Both Yates and Lansing had voted against the federal impost grant. Furthermore, these delegates were appointed "for the sole and express purpose of revising the Articles of Confederation"; they were not empowered to help draft a new frame of government.

The three New York delegates found little to approve in the work of the Philadelphia Convention. Hamilton wanted a strongly centralized national government that would leave the states mere administrative units. Yates and Lansing found their worst forebodings confirmed. One of the first decisions of the convention was, "that a national Government ought to be established consisting of a supreme Legislative, Executive and Judiciary."¹⁴ A new government was to be created! The

¹¹ *Journal of the Assembly*, January 19, 1787.

¹² According to Hamilton's "Letters of H. G." written in 1789. These campaign letters should be used with considerable caution. Hamilton, *Works*, Lodge, ed., I, 563.

¹³ Lincoln, *Messages from the Governors*, II, 270. He referred to the resolution without comment and in the next sentence went on to another "subject which appears to me to merit the attention of the Legislature."

¹⁴ From Yates's notes on the convention printed in *Records of the Federal Convention*, Max Farrand, ed. (3 vols., New Haven, 1911).

states were to be submerged! Yates and Lansing fought valiantly against every feature of the nationalistic "Virginia Plan" and rather approved Mr. Paterson's mild "New Jersey Plan." Lansing reminded the convention that New York had sent him to Philadelphia only to revise the Articles, and he ventured "to assert, that had the legislature of the state of New-York, apprehended that their powers would have been construed to extend to the formation of a national government, to the extinguishment of their independency, no delegates would have appeared on the part of that state." In this he was undoubtedly correct.

According to Hamilton it was Governor Clinton who recalled Yates and Lansing from Philadelphia early in July. Hamilton himself remained to the end to brave the governor's displeasure by signing the new Constitution.¹⁵ In a letter addressed to Clinton following their withdrawal, Yates and Lansing explained their reasons for leaving Philadelphia—reasons that fell into two main categories: first, they had been authorized to revise the Articles of Confederation but not to draft a new constitution of government; and, second, they could not give their approval to the consolidation of the states into one national state. A single government, they believed, could not administer the vast area of the United States; such a government would be expensive to operate; and such a government, located far from the homes of most of its citizens, would be unresponsive to public opinion and dangerous to civil liberties.

This letter to Clinton was a fair summary of the position that he and his Antifederalist allies were to take during the coming year of struggle and controversy. Satisfied as they were with the existing political system, they protested their loyalty to it, and attempted to brand the innovators who opposed them with the stigma of advocating the illegal and unconstitutional. For very practical reasons these men, most of whom were radical Whigs who had only recently fought to overturn a system of government in America, were strict constructionists and constitutionalists. They could not agree with their opponents, the Hamiltonians, that a great economic depression constituted an emergency which

¹⁵ Hamilton, *Works*, Lodge, ed., I, 404; J. J. Smertenko, *Alexander Hamilton*; De Alva S. Alexander, *Political History of the State of New York* (3 vols., New York, 1906-09), I, 32.

justified changing the very bases of their federal system of government.

Long before the work of the Philadelphia Convention was finished, the whole state of New York knew that George Clinton disapproved of the convention's plan for a consolidated central government. Late in July the *Daily Advertiser* printed a letter that denounced the governor for prejudicing the country against the convention's work before it was done.¹⁶ This letter was Hamilton's declaration of war on Clinton. "Republican" came to the governor's defense and the war of words was on. The champions on either side were too much in earnest to avoid personalities and the air became charged with insinuations and accusations. Hamilton wrote that Clinton's course showed a "greater attachment to his own power than to the public good," and some Antifederalist insinuated that Washington had once been forced to dismiss Hamilton from his family. Even young DeWitt Clinton joined the fray with his effective "Countryman" letters.¹⁷

The very day that the new Constitution was first printed in New York, Governor Clinton published in the *New York Journal* the first of his famous series of "Cato" letters,¹⁸ a series which brought forth an even more famous reply, "The Federalist" letters of Hamilton, Madison, and Jay. The governor's letters were dull and ponderous, full of the usual tedious allusions to such classic names as Montesquieu, Hume, Locke, and Sidney, and intemperate in their dogmatism and exaggeration. Yet they show far better than such scholarly productions as "The Federalist" what men were thinking and talking.

"Cato" urged against undue haste in making a decision. At the end of the Revolution Americans astounded the world by establishing "an original compact" between themselves and their governors, and that compact should not be lightly put aside. We did not throw off the yoke of Britain only to find new masters! If we do not approve the Constitution, we are under no obligation to accept it; yet Hamilton insinuates

¹⁶ July 21, 1787.

¹⁷ Published in the *New-York Journal*. George Clinton wrote him that the letters were well adapted to the "understanding of the Common People." Letter of December 22, 1787, DeWitt Clinton Papers.

¹⁸ "Cato" I appeared September 27, 1787 and "Cato" VII on January 3, 1788. The series is printed in Paul Leicester Ford, ed., *Essays on the Constitution of the United States* (Brooklyn, 1892).

that it is better to give Washington the presidency under the new plan than to have him lead an army to force it on you. Hamilton "treats you with passion, insult and threat."

The new plan creates one sovereignty, a consolidation of states in one government. Clinton quoted Montesquieu as his authority that a republic must have a small territory in order to exist. Governments that are too large tend to break up, just as Maine was ready to break away from Massachusetts, Franklin from North Carolina, and Vermont from New York. To prevent disintegration, armies are necessary, and armies destroy liberties. Large states fall of their own weight. "The ties of the parent exceed that of any other," and as the circle is enlarged, affection diminishes. New Yorkers, schooled in a democratic tradition, could have little in common with Southerners who were attached to slavery and aristocratic distinction. New York should take care before risking its liberties in the common pool.

Clinton had a number of more specific objections to the plan evolved by the Philadelphia Convention. There were too few representatives; the senatorial term of six years was much too long; the necessity for annual elections was ignored; standing armies might be established; and the vice presidency, an unnecessary office, improperly blended the legislative and executive powers that should have been kept separate. The presidency itself savored too much of monarchy. The president's term was too long; he would rule like a king in his ten square miles. It may be said that Americans will always resist prerogative, but they may change, for "the progress of a commercial society begets luxury, the parent of inequality, the foe to virtue, and the enemy to restraint." Clinton, like Jefferson, always believed that only an agricultural civilization could remain sound and virtuous.

He was also convinced that the Constitution meant more taxes. The new government cannot exist on import duties alone and the landholders will oppose taxes on land just as they have in New York. The result will be such taxes as the poll and the window tax—and the federal tax gatherer will thunder on your door for the duty on the light furnished by Heaven! The new government will, then, be costly as well as dangerous to our liberties. Consider well before accepting it.

Some of these arguments were the hasty and ill-advised conclusions

of an irreconcilable foe of centralization who had not yet had adequate time to analyze the proposed form of government. But many of "Cato's" arguments had some validity. It was criticism of this kind that led to the prompt adoption of the first ten amendments to the Constitution, the federal bill of rights.

Five days after "Cato's" first blast, Hamilton returned to the attack with his first "Caesar" letter.¹⁹ He called George Clinton a demagogue, one of these "designing croakers" who are always exclaiming, "My friends, your liberty is invaded!" He pointed out that "there are Citizens, who, to gain their own private ends, enflame the minds of the well-meaning, tho' less intelligent parts of the community, by sating their vanity with that cordial and unfailing specific, that *all power is seated in the people*. For my part," he added, "I am not much attached to the *majesty of the multitude*, . . . I consider them in general as very ill qualified to judge for themselves what form of government will best suit their peculiar situations; . . ." He thought even "Cato" would admit that men of good education and deep reflection are the only judges of a form of government.

This form of attack was so ill-tempered and politically so ill-advised that Hamilton soon decided to attempt something more dignified and less revealing of his own personal animus against democrats in general and Governor Clinton in particular. He persuaded Jay and Madison to contribute to the proposed series of essays and the result was "The Federalist," a truly great treatise that has had far more influence with later generations than it had at the time of its composition upon the skeptical voters of New York.

Governor Clinton did not wish to hasten the calling of the state convention to consider the Constitution.²⁰ Possibly five other states would reject the new plan and make it unnecessary for New York to come to a decision at all. That would please the governor, for he was not quite certain that a New York convention could be trusted to follow his wishes. Some of his own friends were willing to compromise by

¹⁹ "Caesar" Numbers 1 and 2, printed first in the *Daily Advertiser*, are reprinted in P. L. Ford, *Essays on the Constitution*.

²⁰ (Boston) *Independent Chronicle*, December 13, 1787; *Maryland Journal*, November 30, 1787; Samuel Blachley Webb, *Correspondence and Journals* (3 vols., New York, 1893), III, 89.

accepting the Constitution with reservations. And there was rumor that if the Clintonians rejected the plan, southern New York with its commercial interests would secede.²¹ It was better to wait than to force the issue.

Nevertheless the governor placed the proceedings of the Philadelphia Convention before the state legislature on January 11, 1788, but without comment. After a delay of three weeks it was agreed to hold the New York convention at Poughkeepsie in June. Five states had already ratified and three more were to ratify before June. New York might have an opportunity to be the all-important ninth state.

The result of the April election of convention delegates was a staggering blow to the constitutionalists. Both sides had been confident. The press, which was overwhelmingly Federalist in sympathy, had created the impression that Federalist arguments were carrying all opposition before them and that the governor had been discredited and his leadership rejected.

When the returns came in, however, it was found that the Clintonians had carried 46 of the 65 seats in the convention!²² Only Westchester, Kings, Richmond, and New York Counties, all clustered around Manhattan Island, had elected Hamiltonian delegates. Even Albany County had broken away from its alliance with the merchants of New York City; Queens and Suffolk on Long Island, not always hostile to federal measures, had gone over to Clinton; and the river counties, Ulster, Orange, and Dutchess, were faithful to the governor. Clearly the yeomanry of eastern Long Island and the modest farmers and tenant cultivators of the Hudson Valley had accepted "Cato" as their prophet.

The struggle against the Constitution as George Clinton conceived it, was the old struggle of democracy against privilege. The Antifederalists he called "The friends of the rights of mankind," and the Hamiltonians "the advocates of despotism."²³ And there were many who agreed with him.

One fervid democrat expressed this feeling in the *New York Journal* when he wrote that "our modern federalists, namely the advocates of

²¹ Spaulding, *New York in the Critical Period*, 197.

²² *Ibid.*, Chapter XII.

²³ Clinton to John Lamb, June 21; Force Transcripts, Library of Congress.

the new constitution, evidently aim at nothing but the elevation and aggrandisement of a few over the many. The liberty, property, and every social comfort in the life of the yeomanry in America, are to be sacrificed at the altar of tyranny . . ." ²⁴ The leaders of the Federalists were referred to disparagingly as the "well born." One of the newspaper scribblers of the time, "Brutus Junior," pointed out that it was generally known that many of the members of the Philadelphia Convention were "possessed of high aristocratic ideas, and the most sovereign contempt of the common people; that not a few were strongly disposed in favor of monarchy . . ." ²⁵ Governor Clinton's young secretary, DeWitt Clinton, prophesied that if the Constitution should be adopted, even its supporters would exclaim: "From the insolence of great men—from the tyranny of the rich—from the unfeeling rapacity of the excise-man and Tax-gatherer—from the misery of despotism—from the expense of supporting standing armies, navies, placemen, sinecures, federal cities, Senators, Presidents and a long train of et ceteras Good Lord deliver us!" ²⁶ We may suspect that the secretary's views were not radically different from the governor's.

George and James Clinton were among the six delegates chosen to represent Ulster County in the convention. The governor had led the balloting in Ulster with 1,372 votes while General James brought up the Antifederalist rear with 905. The leading Federalist candidate in Ulster received a scanty 68,²⁷ thus demonstrating that Ulster had lived up to its reputation of being the most Antifederalist County in the entire state. But in New York County the tables were turned. There John Jay led the balloting with an impressive 2,735 while Governor Clinton, who was also a candidate in that county, had to content himself with leading the Antifederalist candidates with a mere 134 votes. He seems to have been without honor in the county of his adoption.

When a group of Federalist delegates left New York on June 14 for Poughkeepsie where the convention was to be held, they embarked amid the acclaim of the populace and the discharge of cannon. When the governor and certain other Antifederalist delegates took ship for

²⁴ April 30, 1788.

²⁵ *Ibid.*, November 8, 1787.

²⁶ Letter of April 25, 1788, in New York State Library.

²⁷ *New-York Packet*, June 2; *New York Advertiser*, June 4, 1788.

Poughkeepsie on the same day, the governor's request that there be no demonstration was complied with. Possibly the governor's request was a needless one.²⁸

At Poughkeepsie the convention met and organized in the new court house on June 17 and chose George Clinton to be its president. This was fitting and proper. Yet it might have been better tactics for the Antifederalists to have kept Clinton on the floor where he could speak freely and furnish that leadership which they so much needed.

Although Clinton was an avowed partisan, his good faith and impartiality as a presiding officer were not challenged. Young James Kent, who was at Poughkeepsie but was not a member of the convention, wrote later that although he himself was strongly prejudiced against the governor as the leader of the Antifederalists, he nevertheless "became very favorably struck with the dignity with which he presided, and with his unassuming and modest pretensions as a speaker. It was impossible not to feel respect for such a man, and for a young person not to be somewhat over-awed in his presence, when it was apparent in all his actions and deportment he possessed great decision of character and a stern inflexibility of purpose."²⁹

It was possible for a Federalist to write with considerable accuracy that his party would be able to "boast all the Good Sense and Shineing Abilities" in the convention.³⁰ For among the nineteen Federalists were such able debaters as Robert R. Livingston, John Jay, James Duane, John Sloss Hobart, and Hamilton himself. The Antifederalists, on the other hand, included very few who were adept at argument and debate. Aside from the governor, John Lansing, who was listened to with considerable respect; Samuel Jones, the ex-Tory of Queens County; John Williams, one of the few great landed proprietors among the Clintonians; John Bay of Columbia; and Melancton Smith of Dutchess were the only Antifederalists who spoke with any frequency. Of these the most capable was Melancton Smith, the merchant-lawyer of New York City who represented Dutchess County in the convention. A man "of remarkable simplicity, and of the most gentle, liberal, and

²⁸ Letter of June 15, Abraham Yates Jr. Papers, Box 3, New York Public Library.

²⁹ William Kent, *Memoirs and Letters of James Kent* (Boston, 1898), 306.

³⁰ Webb, *Correspondence*, III, 99.

amiable disposition," his mind was keen and logical and he spoke well. He was in fact the only Antifederalist capable of standing up against Hamilton. George Clinton spoke occasionally and with some effect, but in the main his influence with the members of the convention was personal and not oratorical.

The governor was the recognized leader of the Antifederalist majority in the convention and he found the task of marshaling and directing his following an impossibly difficult one. Composed for the most part of village lawyers, farmers, and small town politicians, the Antifederalist majority was as unable to unite upon any definite, positive program as it was to rebut the arguments of Hamilton and Livingston on the floor of the convention. Some of them wanted nothing but an opportunity to vote against the Constitution and return to their crops or their law offices; others were willing to flirt with the idea of ratifying the Constitution on condition that certain amendments be attached to the ratification; and still others were ready to listen when the impressive battery of Federalist orators told them that rejection would force the southern counties of the state to secede or would leave New York entirely out of the Union. The 19 Federalists had only one goal: ratification; the 46 Clintonians had no program.

Clinton himself was evidently prepared from the first to accept ratification provided a series of vigorous amendments could be written into the Constitution. At least some of his Antifederalist colleagues, when they sailed with the governor for Poughkeepsie on June 14, had a number of draft amendments stowed away in their breeches' pockets.³¹ And in the convention the governor cast his vote in favor of ratification with conditional amendments.³² Beyond that, however, Clinton would not go.

Like most of the Antifederalists in the convention, the governor only assumed the negative rôle of critic. He insisted that representation of such a vast territory in the House of Representatives would be inadequate. So few men could not know the entire Union thoroughly. In the states, the legislators were under the eye of their fellow citizens;

³¹ Letter of June 15, 1788, in Abraham Yates Papers, New York Public Library.

³² July 23. On July 25 Clinton voted for Lansing's motion that New York recede from its ratification after a period of years in case the desired amendments should not be adopted. The latter vote is given in the McKesson Papers, New York Historical Society.

in the far away federal district they would not be. He admitted he had often criticized the feebleness of the Articles of Confederation. He solemnly declared that he was a friend to efficient and energetic government, but he warned against erecting a system that would destroy our liberties. "Because a strong government was wanted during the late war, does it follow, that we should now be obliged to accept of a dangerous one?"

He was quite unable to see why New York could not ratify with conditional amendments. It surely could not be argued that Congress might not legally accept New York into the Union on such terms, for, if the question of legality were to be raised, the Constitution itself was illegal under the existing Articles of Confederation. He was convinced that to ratify without conditions would be to ignore the wishes of a large majority of the people.

He was as firm as ever in his belief that the Constitution would set up a consolidated government that would soon destroy the states. Although free, sovereign states were the very foundation of the federation, the Constitution for the most part ignored them. The very expression, "We the People of the United States," signified that the powers granted the new government originated, not in the states, but in the people themselves. Hence the proposed instrument of government must be considered "an original compact, annulling the state Constitutions as far as its powers interfere with them and thus far destroying their distinct rights." The powers of the new government were enormous. They included "every object for which government was established amongst men, and in every dispute about the powers granted, it is fair to infer that the means are commensurate with the end." It was not safe to delay; the rights and liberties of the people must be protected at once by far-reaching amendments. For there is no example in all history of a government once established which has been willing to relinquish its powers.⁸⁸

These objections, Clinton said, he offered only to give the gentlemen on the other side an opportunity to answer them. He was open to con-

⁸⁸ Clinton's speeches and notes will be found in Francis Childs, *Debates and Proceedings of the Constitutional Convention of New York, Poughkeepsie, June 17, 1788* (reprint, Poughkeepsie, 1905), in the Bancroft Transcripts of Clinton Papers, New York Public Library, and in the Clinton Papers, New York State Library.

viction. But as the debate extended through the last weeks of June and well into July,⁸⁴ the governor was not convinced. On the contrary he was indignant when Samuel Jones, Gilbert Livingston, and Melancton Smith began to give ground.

Jones led the retreat of the Antifederalists when on July 23 he moved to change the formula of ratification from "on condition" to "in full confidence" that the New York amendments should be accepted by the other states. This was nothing more nor less than unconditional ratification. When Jones's proposal was carried in committee of the whole by 31 votes to 29, George Clinton voted with the minority. The next day the irreconcilable Clintonians tried to retrieve their lost ground by attaching to ratification the condition that if a second federal convention should not be called within a given period of years, New York might withdraw from the Union. Twelve Antifederalists deserted the governor in the vote on this amendment and it was defeated, 31 to 28.⁸⁵ The battle was lost.

The convention hurriedly put in order the 32 amendments it had agreed to recommend to the other states, appointed a committee to draw up the circular letter that Governor Clinton was to send to the governors of the states, and cast the final vote for unconditional ratification by the narrow margin 30 to 27, the closest vote in any of the state ratifying conventions. In this final vote not a single delegate from any county north of Orange and Dutchess cast his ballot for the Constitution; and, with one exception, no delegate from the counties south of Orange and Dutchess voted against it. It was the victory of New York County and its neighbors over the bloc of river and frontier counties in the north. Furthermore, it was Alexander Hamilton's first triumph over George Clinton.

Clinton's leadership was not entirely to blame for the defeat of the Antifederalists. It was expediency and not conviction that finally persuaded New York that it must ratify the Constitution even though a majority of New Yorkers thoroughly mistrusted the document. The principal consideration in bringing New York Antifederalists to terms was the fact that ratification by New Hampshire and Virginia, while

⁸⁴ Final adjournment came on July 26.

⁸⁵ The vote will be found in the McKesson Papers, New York Historical Society.

the Poughkeepsie Convention was sitting, made the Union a certainty. Rejection by New York would mean isolation. New York merchants might be excluded from the ports of the other states, and imports for New Jersey and Connecticut would no longer pay tribute at New York's customs houses. Possibly the southern counties would secede, leaving northern New York cut off from the sea and from its neighbors. Certainly, if New York did not come to a prompt decision, the federal Congress would desert its chief city for Philadelphia or a site on the Potomac—and this consideration alone was a weighty enough one with the business men of the metropolis to make the Antifederalist governor decidedly unpopular in his own city. While the convention was still sitting at Poughkeepsie General Webb wrote his fiancée from New York that if Congress should depart for Philadelphia it “will be a fatal stroke to our Commerce & when it will end God only knows. . . . I do not believe the life of the Governor and his party would be safe in this place.”⁸⁶

New York state politics were embittered as never before in the struggle over the Constitution. While Governor Clinton entertained delegates of both parties pacifically enough at Poughkeepsie on the Fourth of July, the little Federalist city of Albany saw bloodshed in the streets. A Federalist procession encountered an Antifederalist one; a battle of swords, bayonets, sticks and stones ensued; the Antis were outnumbered and put to rout; one was killed and eighteen were wounded. Albany took its politics seriously.

It was on July 26 that the news of ratification reached New York City. The citizenry paraded through the streets cheering the victory. Overjoyed merchants cheered the Constitution at the coffee houses and salutes were fired from the federal ship *Hamilton*, a float that had been used in the great pre-victory parade a few days earlier. It was said that even the Antifederalists forgot their disappointment and joined in a concerted attack on what was known as the “Federal Bowl.” But all was not harmony. The hoodlum mob broke into the house of Mr. Greenleaf, the editor of the Antifederalist *Journal*, broke the windows, and carried off his type. And to complete the day's demonstration, they paraded to the home of Governor Clinton, beat the rogues' march

⁸⁶ Webb, *Correspondence*, III, 111.

around the building, and gave three lusty hisses. Fortunately George Clinton had not yet returned to town.

The contest over the Constitution marked the end of the “era of good feeling” in New York politics. Clinton was to serve ten more years as governor of the state, but after 1788 he was only the leader of a party. The period of his unchallenged personal ascendancy was over.