the young republic which surpassed in interest all its foreign difficulties : it brought on the crisis which settled the development of the United States towards democracy.

1. The reaction in Great Britain against the indefinite “rights of man” had led parliament to pass an alien law, a sedition law suspending the writ of *habeas corpus,* and an Act giving wide and scarcely defined powers to magistrates for the dispersion of meetings to petition for redress of grievances. The Federalists were in control of a Congress of limited powers ; but they were strongly tempted by sympathies and antipathies of every sort to form their programme on the model furnished from England. The measures which they actually passed were based only on that construction of the constitution which is at the bottom of all American politics ; they only tended to force the constitution into an anti-democratic direction. But it was the fixed belief of their opponents that they meant to go farther,—to forget the limitations imposed by the ten-years’-old constitution, and to secure their own control by some wholesale measure of political persecution.
2. Three alien laws were passed. The first raised the number of years necessary for naturalization from five to fourteen. The third permitted the arrest of subjects of any foreign power with which the United States should be at war. The second, which is usually known as the Alien Law, was limited to a term of two years ; it permitted the president to arrest or order out of the country any alien whom he should consider dangerous to the country. As many of the Republican editors and local leaders were aliens, this law really put the whole Republican organiza­tion in the power of the president elected by their op­ponents. The Sedition Law made it a crime, punishable by fine and imprisonment, to publish or print any false, scandalous, and malicious writings against the Government of the United States, either house of Congress, or the president, with intent to defame them, or to bring them into contempt or disrepute, or to excite against them the hatred of the good people of the United States, or to stir up sedition or opposition to any lawful Act of Congress or of the president, or to aid the designs of any foreign power against the United States. In its first form the bill was even more loose and sweeping than this and alarmed the opposition thoroughly.
3. Almost all the ability of the country was in the Federalist ranks ; the Republicans had but two first-rate men—Jefferson and Madison. In the sudden issue thus forced between individual rights and national power, Jef­ferson and Madison could find but one bulwark for the individual—the power of the States ; and their use of it gave their party a permanent list to State sovereignty from which it did not recover for years. They objected to the Alien Law on the grounds that aliens were under the jurisdiction of the State, not of the Federal Government ; that the jurisdiction over them had not been transferred to the Federal Government by the constitution, and that the assumption of it by Congress was a violation of the constitution’s reservation of powers to the States ; and, further, because the constitution reserved to every “ per­son,” not to every citizen, the right to a jury trial (§ 127). They objected to the Sedition Law on the grounds that the constitution had specified exactly the four crimes for whose punishment Congress was to provide ; that criminal libel was not one of them ; and that amendment I. forbade Congress to pass any law restricting freedom of speech or of the press. The Federalists asserted a common-law power in Federal judges to punish for libel, and pointed to a provision in the Sedition Law permitting the truth to be given in evidence, as an improvement on the common law, instead of a restriction on individual liberty.
4. The Republican objections might have been made in court, on the first trial. But the Republican leaders had strong doubts of the impartiality of the Federal judges, who were Federalists. They resolved to intrench the party in the State legislatures. The Virginia legislature in 1798 passed a series of resolutions prepared by Madison, and the Kentucky legislature in the same year passed a series prepared by Jefferson. Neglected or rejected by the other States, they were passed again by their legisla­tures in 1799, and were for a long time the documentary basis of the Democratic party (§ 320). The leading idea expressed in both was that the constitution was a “ com­pact” between the States, and that the powers (the States) which had made the compact had reserved the power to restrain the creature of the compact, the Federal Government, whenever it undertook to assume powers not granted to it. Madison’s idea seems to have been that the restraint was to be imposed by a second convention of the States. Jefferson’s idea is more doubtful ; if it meant that the restraint should be imposed by any State which should feel aggrieved, his scheme was merely Calhoun’s idea of nullification (§ 206) ; but there are some indica­tions that he agreed with Madison.
5. The first Congress of Adams’s term of office ended in 1799. Its successor, elected in the heat of the war excitement, kept the Federalist policy up to its first pitch. Out of Congress the execution of the objectionable laws had taken the shape of political persecution. Men were arrested, tried, and punished for writings which the people had been accustomed to consider quite within legitimate political methods. Some of the charges were petty, and some ridiculous. The Republican leaders made every trial as public as possible, and gained votes constantly, so that the Federalists began to be shy of the very powers which they had sought. Every new election was a storm-signal for the Federal party ; and the danger was increased by the appearance of schism in their own ranks.
6. Hamilton was now a private citizen of New York ; but he had the confidence of his party more largely than its nominal head, the president, and he maintained close and confidential relations with the cabinet which Adams had taken unchanged from Washington. The Hamilton faction saw no way of preserving and consolidating the newly acquired powers of the Federal Government but by keeping up and increasing the war feeling against France ; Adams had the instinctive leaning of an American pre­sident towards peace. Amid cries of wrath and despair from his party he accepted the first overtures of the new Napoleonic Government, sent envoys to negotiate a peace, and ordered them to depart for France when they delayed too long. Then, discovering flat treachery in his cabinet, he dismissed it and blurted out a public expression of his feeling that Hamilton and his adherents were “ a British faction.” Hamilton retorted with a circular letter to his party friends, denouncing the president; the Republicans intercepted it and gave it a wider circulation than its author had intended ; and the Hamilton faction tried so to arrange the electoral vote that Pinckney should be chosen president in 1800 and Adams should be shelved into the vice-presidency. Even so, the Federal party barely missed success. As things turned out, the result depended on the electoral vote of New York ; and Aaron Burr (p. 788), who had introduced the drill and machinery of a modern American political party there, had made the State Republican and secured a majority for the Republican candidates. There was an effort by the Federalists to disappoint the Republicans by making Burr president ; but Jefferson obtained that office, Burr becoming vice- president for four years (§ 120).
7. The “revolution of 1800” decided the future development of the United States. The new dominant