

*In the election of 1800, the nation experienced a peaceful transfer of power from one party to the other.*

## The Election of 1800

SS.8.A.3.14, LA.8.6.2.2

### ***What did the election of 1800 show about the nature of politics?***

In the election of 1800, Federalists supported President Adams for a second term and Charles Pinckney for vice president. Republicans nominated Thomas Jefferson for president and Aaron Burr as his running mate.

The election campaign of 1800 was very different from the political campaigns we see today. Neither Adams nor Jefferson traveled around the country to gather support. Many thought direct campaigning improper for a person who would be president. Instead, hundreds of letters were sent to leading citizens and newspapers to make candidates' views public.

The campaign was bitterly fought. Each side made personal attacks against the other. For example, Federalists accused Jefferson, who believed in freedom of religion, of being "godless." Republicans warned that the Federalists favored the wealthy and would bring back monarchy.

## The Vote Is Tied

Under the Constitution, voters in a presidential election are really electing groups of people called electors. These electors meet in what is known as the Electoral College. There they cast the ballots that actually elect the president and vice president. Each state has as many electoral votes as it has members of Congress.

At that time, the Constitution said that electors were to cast two ballots—without indicating which was for president and which was for vice president. The candidate with the majority of votes became president, and the candidate with the next-largest number of votes became vice president. In 1800, 73 electors cast their ballots for Jefferson and Burr. Each candidate, therefore, got the same number of votes. Because of the tie vote, the House of Representatives had to decide the election.

In the House, Federalists tried to keep Jefferson from becoming president by supporting Burr. For 35 ballots, the election remained tied. Finally, one Federalist decided not to vote for Burr.

Because no one wanted to see another tie between a presidential and vice-presidential candidate, Congress passed the Twelfth Amendment to the Constitution in 1803. From then on, electors cast one of their votes for president and the other for vice president.

## Jefferson's Inauguration

On the day he became president, Jefferson dressed in his everyday clothes. He walked to the Senate to take the oath of office. President Adams did not attend.

In his Inaugural Address, Jefferson outlined some of his goals, including "a wise and frugal government" and "the support of the state governments in all their rights." Jefferson believed a large federal government threatened liberty and that individual states could better protect freedom. He wanted to limit the power and size of the federal government.

**Contrasting** How did political campaigns and presidential inaugurations in Jefferson's day differ from those of today?

## Jefferson as President

SS.8.A.3.14, SS.8.A.4.13, LA.8.1.6.1, LA.8.1.6.3

### ***What did Jefferson want to accomplish during his presidency?***

Thomas Jefferson had strong ideas about government and he surrounded himself with people who shared **similar** views. Jefferson and Albert Gallatin, secretary of the treasury, reduced the national debt and cut down on military expenses. Jefferson also limited the number of federal government workers to a few hundred people. At the same time, his government got rid of most federal taxes. They only collected **customs duties**, or taxes on imported goods. Under Jefferson, the government's income would come from customs duties and from the sale of western lands. He believed that these changes were needed to make the United States a great nation.

## Judiciary Act of 1801

After the election and before Jefferson took office, the Federalists passed an act that set up a system of courts. John Adams used this act, the Judiciary Act of 1801, to make hundreds of appointments during his last days as president. Adams also asked John Marshall to serve as chief justice. Congress was then still under Federalist control and supported Adams's choices. In this way, Adams blocked Jefferson from making appointments and made sure the Federalists controlled the courts.

Adams's appointments could not take effect until these last-minute appointees, known as "midnight judges," received certain official papers, called commissions. When Jefferson became president, some of these appointees had not yet received their commissions. Jefferson told Secretary of State James Madison not to deliver them.

## The Growing Power of the Supreme Court

One of the appointees who did not get his commission was William Marbury. He asked the Supreme Court to force its delivery. The Court said it did not have the **jurisdiction** (jur • iss • DIK • shuhn)—the legal authority—to force delivery of Marbury's commission. Marbury had argued that an act of Congress gave the Court such authority, but the Court ruled that that act violated the Constitution.

The ruling in *Marbury v. Madison* affected much more than William Marbury's career. In his opinion, Chief Justice John Marshall established the three **principles** of judicial review: (1) the Constitution is the supreme law of the land; (2) the Constitution must be followed when there is a conflict with any other law; and (3) the judicial branch can declare laws unconstitutional. In short, Marshall claimed for the courts the power to find acts of other branches unconstitutional. Judicial review is a key check on the legislative and executive branches.

In his 34-year term as chief justice, Marshall helped broaden the power of the Court. He also expanded federal power at the expense of the states. In *McCulloch v. Maryland* (1819), the Court held that Congress does have implied powers and that states cannot tax the federal government. In *Gibbons v. Ogden* (1824), the Court held that federal law overrules state law in matters affecting more than one state. In *Worcester v. Georgia* (1832), the Court decided that states could not regulate Native Americans. Only the federal government had that power.

**Explaining** What was the significance of the *Marbury v. Madison* ruling?

## LESSON 1 REVIEW

### Review Vocabulary

1. Write a sentence about the Jefferson administration that uses the term *customs duty*.

LA.8.1.6.1

### Answer the Guiding Questions

2. **Contrasting** How did the process of electing a president change after the election of 1800?

SS.8.A.3.14

3. **Discussing** How did President Jefferson act on his beliefs about government?

SS.8.A.3.14, SS.8.A.4.13

4. **Explaining** Explain how the powers of the Supreme Court and federal law were extended by significant court cases during this period.

SS.8.A.4.13

5. **EXPOSITORY WRITING** During John Marshall's term on the Supreme Court, federal and Court power expanded. Write a paragraph contrasting these decisions with Thomas Jefferson's stated views on the proper size and power of the federal government.

SS.8.A.4.13