

8th Notes: Chapter 8.1

I. The Election of 1800

1. In the election of 1800 Federalist supported President Adams for 2nd term and Charles Pinckney for vice president.
2. Republicans nominated Jefferson for president and Aaron Burr as his running mate.
3. Adams and Jefferson didn't travel around the country to gather support, instead hundreds of letters were sent to leading citizens and newspapers to make candidates' views public
4. Federalist accused Jefferson, who believed in freedom of religion, of being godless.
5. Republicans warned that Federalist favored the wealthy and would bring back monarchy.

A. The Vote Is Tied

1. Under the Constitution, voters in a presidential election are really electing groups of people called electors. These electors meet in the Electoral College. At the Electoral College casts the ballots that elect the president and vice president. Each state has as many electoral votes as it has members of the Congress.
2. In the house, Democratic-Republicans supported Jefferson and the Federalists supported Burr. After 35 ballots the election remained tied. Then one federalists decided not to vote for Burr.
3. No one wanted to see another tie for the president and vice-president, so 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.
 - i. The constitution said that electors were to cast two ballots-without indicating which was for president or vice president.
 - ii. The candidate with majority of votes became president, the candidate with next largest votes became vice president.
 - iii. In 1800, 73 electors cast their ballots for Jefferson and Burr. Each candidate got the same amount of votes, therefore the house of reps had to decide the electionThe Election of 1800

B. Jefferson's Inauguration

1. Jefferson dressed in everyday clothes on the day of his inauguration.
2. President Adams did not attend.
3. Jefferson's Inaugural Address outline some of his goals.
 - i. "a wise and frugal government"
 - ii. "the support of the state governments in all their rights"
 - iii. He believed that a large federal government threatened liberty and individual freedoms.
 - iv. Wanted to limit the power and size of the federal government.
4. Under Jefferson, the government's income would come from customs duties and from the sale of western lands.
5. Believed that these changes were needed to make the United States a great nation.

8th Notes: Chapter 8.1

II. Jefferson as President

1. Jefferson had strong ideas about government and he surrounded himself with people who shared his similar views.
 - i. He Worked with Albert Gallatin, who is secretary of the treasure
2. Albert Gallatin worked to:
 - i. Reduce the national debt and
 - ii. Cut down on military expenses
3. Jefferson worked to :
 - i. Limit the number of federal government workers to a few hundred people
 - ii. To get rid of most federal taxes
 - iii. They only collected **custom duties**, or taxes on imported goods.
4. Under Jefferson, the government's income would come from custom duties and from the sale of western lands. He believed that these changes were needed to make the United States a great nation.

A. Judiciary Act of 1801

1. Before Jefferson took office after the election, the Federalists passed an act that set up a system of courts.
 - i. John Adams made hundreds of appointments during his last days as president using the Judiciary Act of 1801
2. Adams asked John Marshall to serve as Chief of justice
 - i. Congress still under Federalist control
 - ii. Supported Adams Choices
3. Adams blocked Jefferson from making appointments
 - i. Made sure Federalists controlled the courts
4. Congress supported President Adam's choices for the courts. Adam's blocked Jefferson's ability for making appointments and made sure Federalists controlled the courts, but the appointments couldn't take effect until last minute appointees **"Midnight judges"** official papers called **commissions**
 - i. Some appointees had not received their commissions because Jefferson told Secretary of State, James Madison, not to deliver them
 - ii. Helped pack the courts with Federalists
 - iii. Reduced the number of Supreme Court Justices from 6 to 5.

B. The Growing Power of the Supreme Court

1. William Marbury was one of the appointees who didn't get his commission.
 - i. He asked the supreme court to force its delivery
 - ii. The court said it did not have the legal authority to force delivery of Marbury's commission
 - iii. Marbury argued that an act of congress gave the court such authority, but the court ruled that the act violated the constitution

8th Notes: Chapter 8.1

2. The ruling in *Marbury v. Madison* affected so much more than Marbury's career.
 - i. In his opinion, Chief Justice John Marshall established three principles of judicial review.
 - a. the constitution is the supreme law of the land
 - b. The constitution must be followed when in conflict with any other law.
 - c. the judicial branch can declare laws unconstitutional
 - ii. In short, Marshall claimed for the courts the power to find acts of other branches unconstitutional.
3. In his ruling Marshall stated:

"Certainly all those who have framed written constitutions contemplate them as forming the fundamental and paramount law of the nation, and consequently the theory of every such government must be that an act of the legislature repugnant to the constitution is void....."
4. Marshall helped broaden the power of the court.
 - iii. He also expanded federal power at the expense of the states.
 - iv. In 1819 *McCulloch v. Maryland*, the court held that congress does have implied powers and that states cannot tax the federal government.
 - v. In 1824 *Gibbons v. Ogden*, the court held that federal law overrides state laws in matters affecting more than one state
 - vi. In 1832 *Worcester v. Georgia*, the court decided that states couldn't regulate Native Americans and only the federal government had that power.