DEWITT CLINTON AND THE ORIGIN OF THE SPOILS SYSTEM IN NEW YORK; PP.1-161

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CHAPTER I

Early Patronage under the Constitution

The name of DeWitt Clinton has been associated for a long time with all that is reprehensible in connection with the introduction of the so-called spoils system into the politics of New York. Not only has the extent to which he carried the policy of removal from office been overestimated but many other phases of his plan of distributing the patronage have been the subject of misrepresentation. Even so eminent a scholar as Mr. Henry Adams expresses the opinion that he was hardly less responsible than Burr for lowering the standard of New York politics and indirectly that of the nation,[1] and in another connection this distinguished historian makes the unqualified assertion that Clinton, urged on by political self-interest, swept out of office every federalist in New York to make room for his republican supporters.[2] Nor is extravagance of statement the only error into which Mr. Adams has fallen. He quite unjustly accuses Clinton of giving undue preferment to his own family connections[3] and of adopting a policy of total exclusion toward the political adherents of his rival, Aaron Burr, in the distribution of both federal and state offices.[4] Similar views have been expressed by historians both before and since Mr. Adams wrote,[5] and a

[1] Henry Adams, *History of the United States*, i, 112.

[2] *Ibid.*, i, 228, 229. [3] *Ibid.*, i, 229. [4] *Ibid.*, i, 230 *et seq.*

[5] Hammond, *History of Political Parties in New York*, i, 173–180; Hildreth, *History of the United States*, v, 425; Schouler, *History of the United States*, ii, 33; Roosevelt, *New York*, 161, 162, 177; Alexander,

general impression has gone abroad that, when Clinton first came to wield his power in New York, he instituted so drastic a proscription of his political opponents and so thoroughgoing an exclusion of those elements of his own party that were inimical to his personal interests that his conduct can find explanation only in the belief that he was moved by an overmastering spirit of selfishness, and that anything like a guiding principle must have been wholly foreign to his thought and purpose.

Unfortunately for the fame of Clinton the materials for a complete study of his policy in the distribution of the New York patronage have never been carefully sifted, although they have not been wholly inaccessible. The manuscript files of the council of appointment, which throw a flood of light upon the history of patronage, lie as yet unorganized and unmounted.[1] The manuscript minutes of the council[2] have been used to some extent,[3] but nothing like an exhaustive study of them has hitherto been made. The public papers of George Clinton,[4] which have received only occasional investigation, offer an invaluable source of information upon every phase of New York politics during the interesting period of his life; while the DeWitt Clinton papers,[5] the newspapers and pamphlets of the time, the legislative journals and the numerous printed collections of correspondence and writings are alike indispensable aids to a fair understanding of the share which the younger Clinton had in the introduction of the system of spoils in New York. It is primarily upon these documents and papers that the present study is based.

Political History of New York, i, 116-121; Channing, *The Jeffersonian System*, 17, 18.

[1] New York State Library. [2] Office of the Secretary of State.

[3] Hammond, *History of Political Parties in New York, passim.*

[4] Mounted and calendared, New York State Library.

[5] Mounted but not calendared, Columbia University Library.

It was not until 1801, after the federal government had been in operation twelve years, that DeWitt Clinton came forward as the chief factor in the distribution of offices in New York. It is impossible adequately to understand the conditions which confronted him in that year without a thorough knowledge of the civil-service policies which had been adopted by George Clinton, governor of the state from its formation until the year 1795, and by John Jay who as his successor remained in office down to 1801. Every feature of DeWitt Clinton's plan of parcelling out the patronage of the state found some authority in the practice which had preceded him. His policy differed only in the very substantial increase which he made in the number of removals for reasons of politics. And it will be shown that, like Mr. Jefferson, he justified his whole attitude with reference to the patronage upon the course of exclusion toward his own party which had been pursued by the retiring federalists. The spoils system in the broader sense of the term had existed in New York long before DeWitt Clinton came into power. For very obvious reasons, therefore, it is necessary to trace in some detail the history of patronage in the state prior to the victory which placed the republicans in power at the opening of the nineteenth century.

For reasons not altogether different it seems advisable also to outline the federal practice which had obtained during the administrations of Washington and John Adams. It is true that this has already been made the subject of careful research,[1] and that the material for its investigation lies very largely in accessible form in the printed correspond-

[1] Fish, *Civil Service and the Patronage*, 6–28; Galliard Hunt, "Office Seeking during Washington's and Adams's Administrations," *American Historical Review*, i, 270–283; ii, 241–261; *Rhode Island Historical Society Publications*, viii, 104–135; *American Historical Association, Reports*, 1899, 67–86; *ibid., Papers*, 314–322.

ence of the period. It is hoped, nevertheless, that some new light can be thrown upon the policies of the early federal administrations, particularly in regard to the distribution of patronage in New York. But the study of the federal practice in conjunction with that which prevailed in the states is more especially required by reason of the fact that the policies adopted by the national and local governments exerted a strong influence each upon the other. Certain it is that there is a marked similarity of development between them; and there are very good reasons why this similarity should have existed. In the first place, the state governments still retained, in the estimation of the statesmen of the day, an importance by no means overshadowed by that of the federal government. The frequency of resignations from federal offices to accept appointments in the states is a sufficiently worthy record of the opinion that was entertained as to the parity of importance between the parts of the new governmental system. The general government was far from refusing to profit by the experience of the states, and the state governments in turn watched with jealous interest every detail of the affairs of the nation. Moreover, it must be remembered that in spite of the tremendous distances and the difficulties that attended upon travel, the personal ties between the great statesmen of the republic were perhaps far stronger than they have ever been since. The whole population of the country, confined largely to the eastern shore of the continent, was very small; the number of political people was much smaller; and the real leaders, even including those of strictly local fame, were comparatively few. They were all more or less acquainted with one another, and the exchange of ideas in the long personal letters which passed between them served to develop a certain unity of opinion upon questions of public interest and to set in motion uniform influences that were the begin-

nings of a genuine spirit of nationality. In the questions which arose over the distribution of patronage this interchange of ideas must have exerted its influence, and it is impossible to believe that the republican leaders, both national and local into whose hands the power of the patronage fell by the turn of events in 1800, were not fully acquainted with the policies which had been pursued by those who had preceded them in the administration of the government.

The plan of the present study, therefore, is to examine carefully the whole development of the civil service both in the national government and in New York from the time of the establishment of the federal constitution down to the year 1801, which marked the first change of political parties in the nation. The policies of the national government will be shown to have a more or less definite connection with those which were pursued in the state, and the former will be viewed with especial reference to the appointment of federal officers in New York. Not only will this plan of presentation serve to show the extent of DeWitt Clinton's departure from precedents which had been established but it will afford the opportunity for a systematic development of the history of the early patronage in New York in its vital relation to the larger questions of politics.

When in 1789 Washington was by the unanimous choice of the nation called from his retirement to become the first president, almost the leading of the difficult problems which confronted him was that of appointing "by and with the advice and consent of the senate" the executive officials for which the constitution and supplemental legislation had provided. The adoption of the constitution had not been effected without engendering much bitterness; and the mere fact of its adoption did not by any means lift it above the

plane of the experimental. The great body of Washington's letters written at this time show that he fully realized the importance which his distribution of the patronage would play in allaying the factious spirit of opposition which had arisen. Writing to Samuel Vaughan in March, 1789, he said:

> I have no conception of a more delicate task than that which is imposed by the constitution on the executive. It is the nature of republicans, who are nearly in a state of equality, to be extremely jealous as to the disposal of all honorary and lucrative appointments. Perfectly convinced I am, that, if injudicious or unpopular measures should be taken by the executive under the new government, with regard to appointments, the government itself would be in the utmost danger of being subverted by those measures. So necessary is it at this crisis to conciliate the good will of the people, and so impossible it is, in my judgment, to build the edifice of public happiness but upon their affections.[1]

Indeed he avowed as one of his chief motives in giving up his cherished retirement from public life the "desire to reconcile contending parties"[2] so far as in him lay. Aside from these difficulties, however, Washington was peculiarly unembarrassed in the matter of his appointments to office. From many of the trials which faced most of his successors in office he was free. The problem of removals did not exist, for all of the offices were creations of the new constitution which had illegally, perhaps, but none the less effectually, abrogated the Articles of Confederation and in consequence every office held under that government. There were no election debts to pay, for he was under obligations to no party or faction.[3]

[1] Washington, *Writings* (Ford ed.), xi, 368, note. [2] *Ibid.*, 366.

[3] January 1, 1789, Washington wrote to Samuel Hanson: "If I