

# Alexander Hamilton's Legal Legacy

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# Who was Alexander Hamilton?



- An orphan who became the first Secretary of Treasury (the “\$10 founding father”). He was instrumental in building our modern financial system.
- An inspiring Horatio Alger story of an immigrant rising from obscurity to help lead his adopted homeland.
- George Washington’s right hand man (aide-de-camp). Shared a close relationship with Washington and complemented each other’s talents and personalities (yin and yang). Washington’s wisdom and judgment matched well with Hamilton’s passion and brilliance.
- Revolutionary War hero who personally led the bayonet charge at Yorktown where he was the first over the parapet. The “Little Lion” also saw action at the battles of Long Island, Monmouth, White Plains, and Princeton.
- One of four leaders most responsible for the Second American Revolution of 1787, which resulted in the U.S. Constitution. (Joseph Ellis, *The Quartet*)
- He recognized, diagnosed and cured the problems of the Articles of Confederation with the “Fantastic 4” of Washington, Madison and Jay.

# Who was Alexander Hamilton?



- Principal co-author of the *Federalist Papers* with Madison & Jay. Wrote 51 essays in six months to support ratification of the U.S. Constitution. According to Thomas Jefferson, the Federalist Papers were the “best commentary on the principles of government ever written.”
- Inspired law giver and supreme advocate for the Constitution. Supported implied powers and a strong executive branch. His policies help bind the fractious states together starting in 1789.
- Formidable pamphleteer at all critical moments in early American history. Described by historian Ron Chernow as a “human word machine.” Wrote under multiple pseudonyms, including: Publius, Phocion, Catillus, Pericles, A Friend to America.
- Was equally potent on his feet and with a pen (unlike Madison and Jefferson).
- Put America’s financial house in order, allowing Jefferson to purchase Louisiana Territory in 1803 (doubling the size of United States).

# Who was Alexander Hamilton?



- Founded the Bank of NY in 1784 with Aaron Burr (the first stock traded on the NYSE in 1792). Founded *NY Evening Post*.
- Abolitionist who co-founded the N.Y. Manumission Society. During the Revolutionary War he supported John Laurens' proposal to allow slaves to fight in the continental army and earn freedom with their muskets.
- The subject of a famous sex scandal. He candidly admitted to an "amorous connection with" Maria Reynolds and printed the love letters to defend himself from allegations of corruption.
- The leader of the Federalist party, which advocated for broad federal powers, including implied powers.
- Co-wrote Washington's Farewell Address, which warned about the risks of excessive partisanship/factions.
- Was the quintessential New Yorker, bright bold and enterprising; the foremost American capitalist.



# Who was Alexander Hamilton?

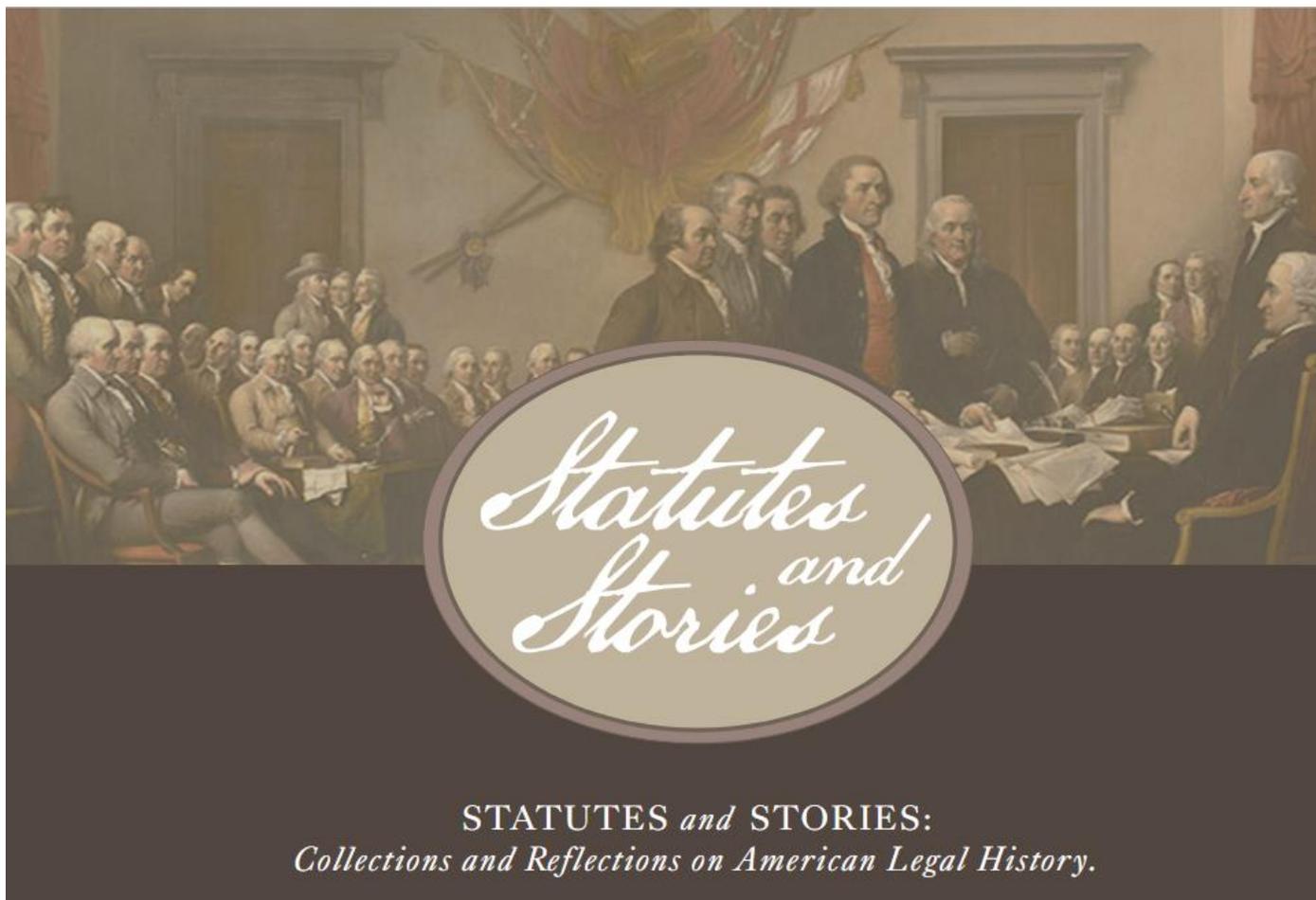
- A lawyer who defended the rights of minorities (loyalists, freed slaves and Catholics). He successfully argued the case of *Hylton v. U.S.* before the Supreme Court.
- The most influential cabinet member in U.S. history. He promoted a diversified economy and oversaw an economic boom.
- Founded the Coast Guard, the U.S. Mint, and moved the capital from N.Y. to Washington, DC in a compromise over his debt funding plan.
- Hamilton was largely overlooked by historians until relatively recently. He was the “un-Jefferson” and “forgotten founding father.”
- Died in a duel with Aaron Burr in 1804 in Weehawken, N.J. His loyal wife, Eliza, lived another 50 years, working with orphans.



## Quotes about Alexander Hamilton:

- “The bastard brat of a Scotch pedlar.” (John Adams)
- A “true colossus” a “host unto himself.” (Thomas Jefferson)
- Chief Justice John Marshall said that next to Hamilton, he was a mere candle “beside the sun at noonday.”
- “Hamilton was the embodiment of nationality.” “There is no single man” to whom the idea of building an America “owes more than to Hamilton.” (Senator Henry Cabot Lodge)
- “In fact, no immigrant in American history has ever made a larger contribution than Alexander Hamilton.” (Ron Chernow)

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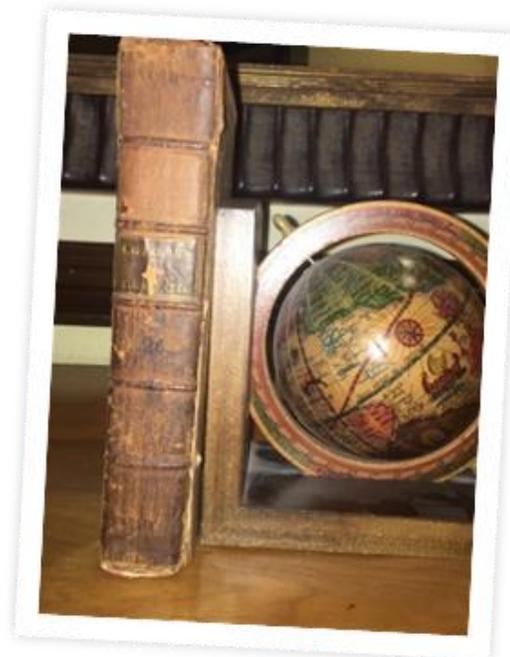
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# The Stamp Act of 1765

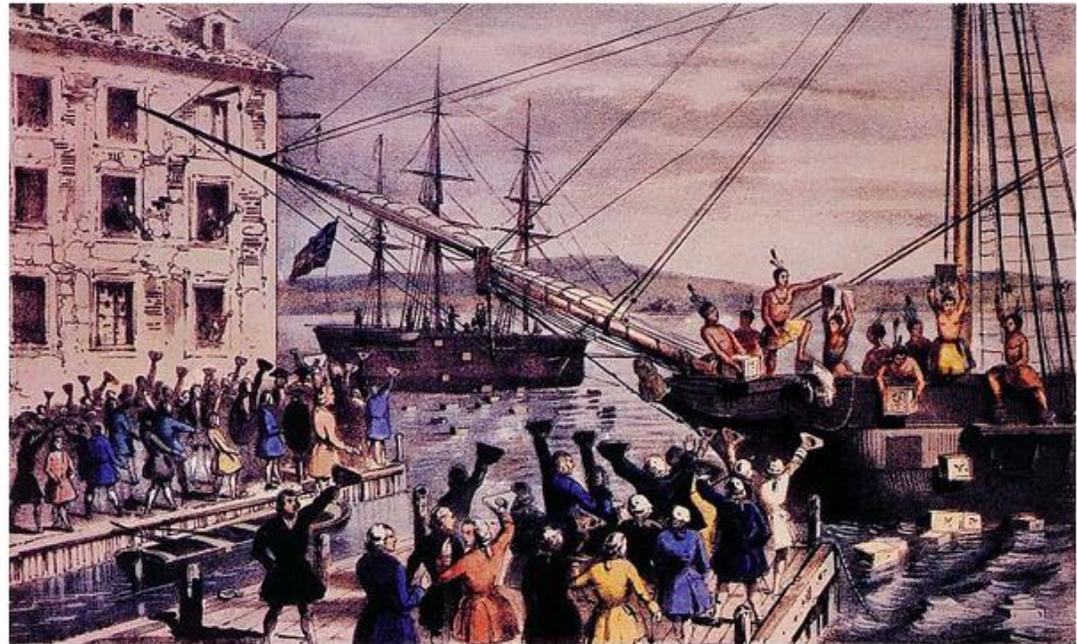
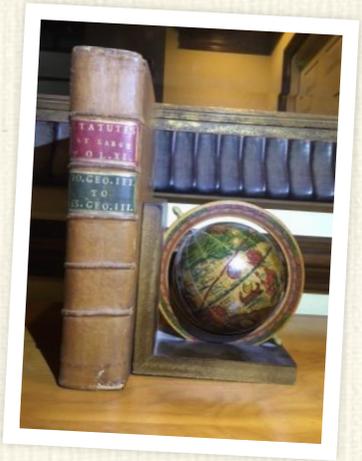
- King George III and Parliament wanted to pay off the debt resulting from the French & Indian War that ended in 1763.
- The Stamp Act was the first of several taxes that were not well received in the colonies.
- The Stamp Act was repealed in 1766 and replaced with the Declaratory Act.





# The Tea Act of 1773

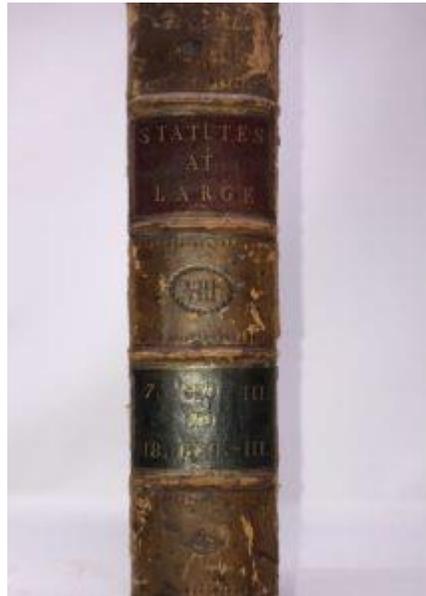
- Parliament passed the Tea Act of 1773 in an effort to assist the struggling East India Tea Company.
- Rather than creating a new tax on tea, the Tea Act of 1773 involved the extension of a tea monopoly to the colonies. The Stamp Act was not well received in the colonies.
- Boston Tea Party
- Sons of Liberty
- Similar tea party resistance in NY, SC



*"The Destruction of Tea at Boston Harbor," by Nathaniel Currier. lithograph, 1846*

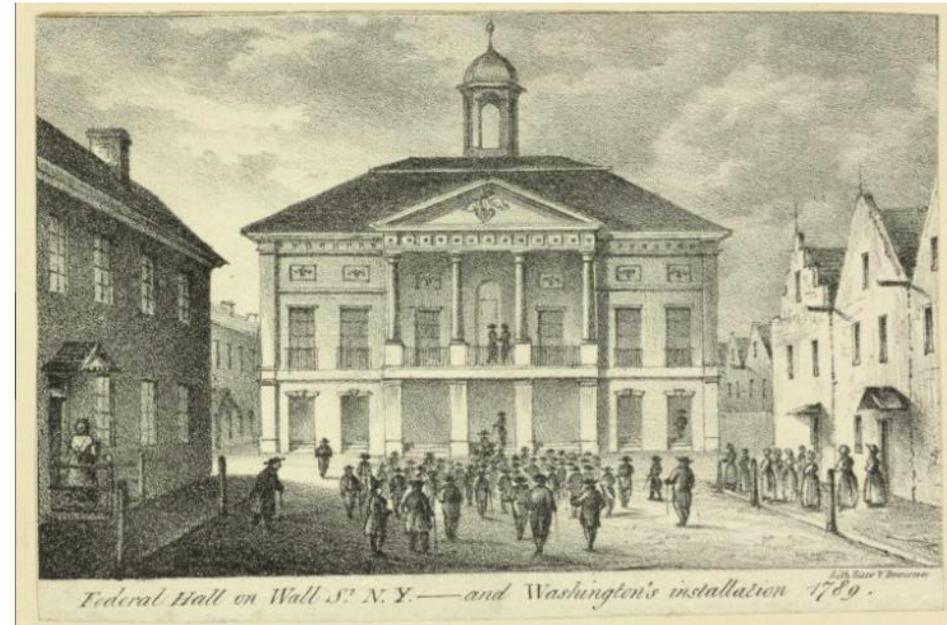
# The Intolerable Acts / The Coercive Acts of 1774

- The Boston Port Act
- The Massachusetts Government Act
- The Administration of Justice Act
- The Quartering Act
- The Quebec Act



# Hamilton Arrives in NY in 1772

- He arrives alone at age 15 (or 17).
- He attempts to enroll in Princeton, but the dean won't allow an accelerated program to graduate in 1 year.
- At King's College he studied Greek, Latin, literature, rhetoric, geography, philosophy, history, math and science.
- Hamilton forms an artillery unit. He leaves school to fight in the revolution.
- He protects the Loyalist college president from mob (Hamilton knows the dangers of mob violence).
- British General Howe takes NY City in 1776 following the Battle of Brooklyn.





## Hamilton the War Hero

Aide de Camp for  
Washington.

He personally led the  
bayonet charge at  
Redoubt 10 at  
Yorktown.

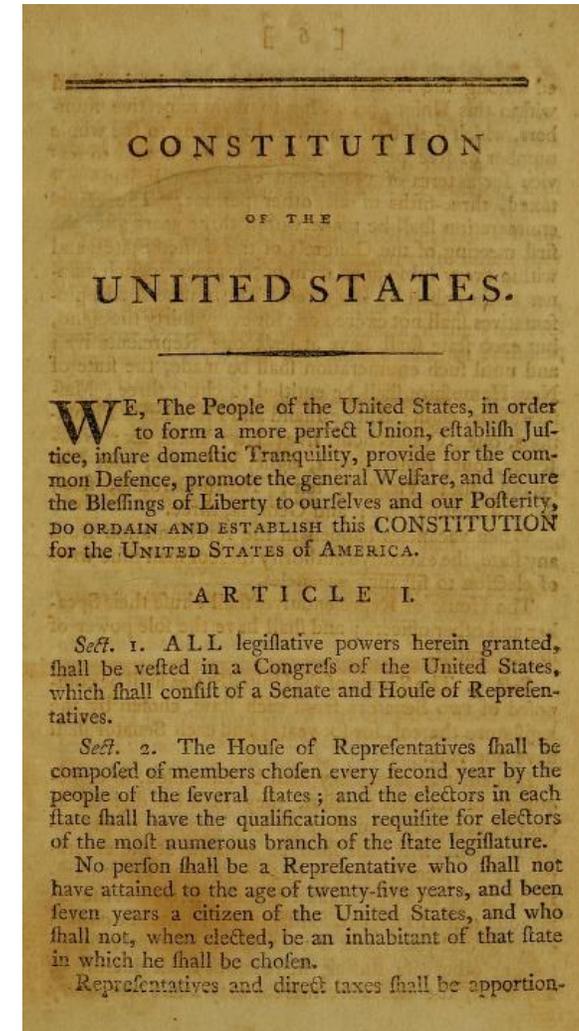
Hamilton is the first  
over the parapet.

The “Little Lion” also  
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# America's Second Revolution – 1787

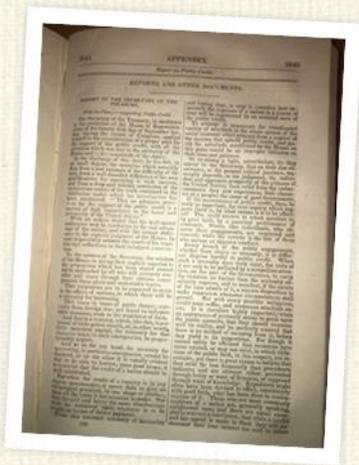
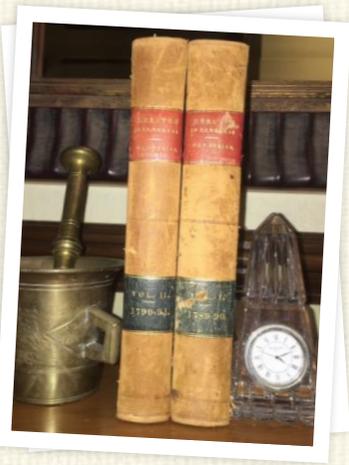


- Hamilton is one of three delegates from NY at the Constitutional Convention.
- Hamilton is the only member of the New York delegation to sign the Constitution.
- A copy of the Constitution, published in the first codification of the *Laws of the United States*, is included in the collection.
- The 3 volume Folwell edition (1796) was compiled by Congressman Zephaniah Swift.



# Hamilton as Secretary of Treasury

- As the first Secretary of Treasury, Alexander Hamilton was asked in September of 1789 to submit a report to the first Congress on the unpaid Revolutionary War debt.
- During the Congressional recess he produced a fully developed plan that would serve as the underpinning of our modern financial system.
- Hamilton proposes to repay all federal debt of approximately \$30 million, along with the “assumption of” state debt of approximately \$21.5 million.
- Hamilton reasoned that the states had shouldered much of the cost of the Revolutionary War and thus the federal government should pay off these state obligations. He also recommended a reliable system to securitize federal debt, and a comprehensive banking, mint and taxation program to implement his fully integrated financial plan.



# Hamilton as Secretary of Treasury

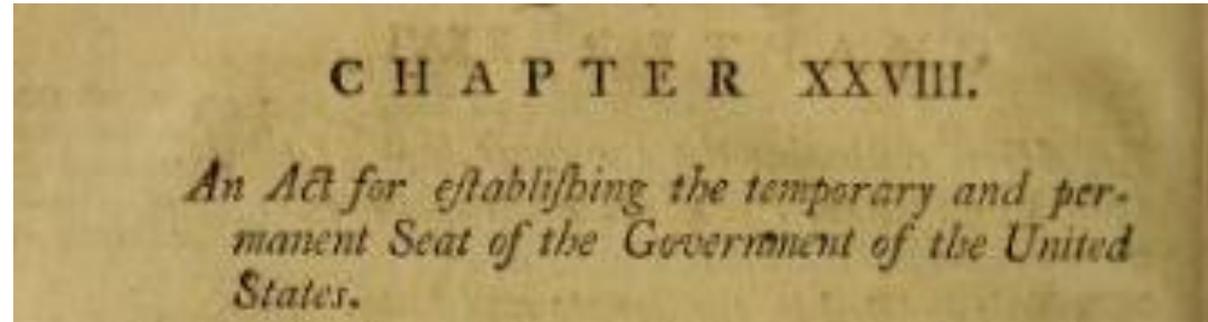
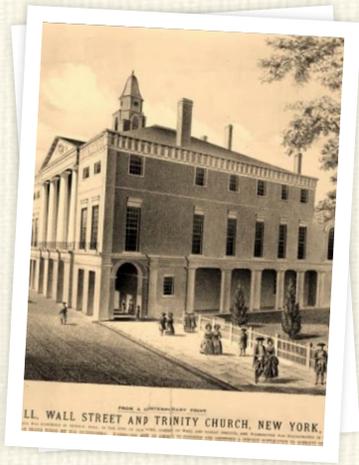
- Hamilton also drafted:
- Report on Public Debt
- Report on a National Bank
- Report on Manufactures
- Report on Marine Hospitals
- Report on the Establishment of a Mint
- According to historian Henry Cabot Lodge, “We look in vain for a man who, in an equal space of time, has produced such direct and lasting effects upon our institutions and our history.”



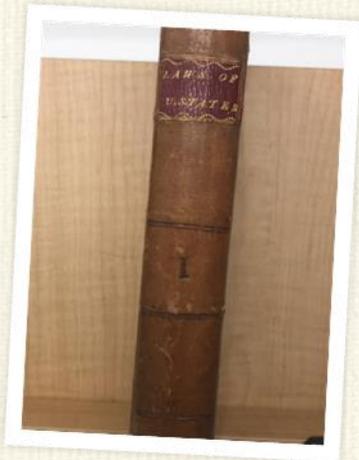
George Washington, on the white horse, and other military officials reclaim the Battery in New York on Nov. 25, 1783. via Library of Congress

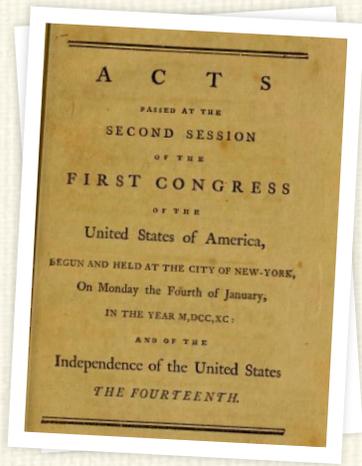


# Hamilton's Grand Compromise The Residence Act & Washington, DC



- To overcome southern opposition Hamilton, negotiated to move the nation's new capital from NY to Virginia in exchange for Madison and Jefferson's support.
- They are believed to have arrived at the grand compromise during dinner on June 20, 1790 at Jefferson's residence in New York located at 57 Maiden Lane (in the Financial District near Wall Street).
- Lin-Manuel Miranda's musical refers to the deal being struck "in the room where it happened."





# Hamilton creates the Coast Guard

- In August 1790, Congress adopted the detailed proposals recommended by Hamilton to more effectively collect the needed import duties.
- Sections 62 - 65 of the Act authorized Hamilton to build ten boats (revenue cutters) to enforce the new tariffs adopted a year earlier on July 4, 1789.
- The resulting fleet would become known as the “Cutter Service.”
- Hamilton was mindful of public perceptions when he outlined the rigorous standards of conduct for the Coast Guard. He cautioned cutter officers to “always keep in mind that their countrymen are free men and as such are impatient of everything that bears the least mark of a domineering spirit.” Hamilton advised the Guard to “refrain from whatever has the semblance of haughtiness, rudeness or insult.”
- Chernow has written that Hamilton’s policies were so “masterfully” written that his directive about boarding foreign vessels was still in effect during the Cuban missile crisis in 1962.

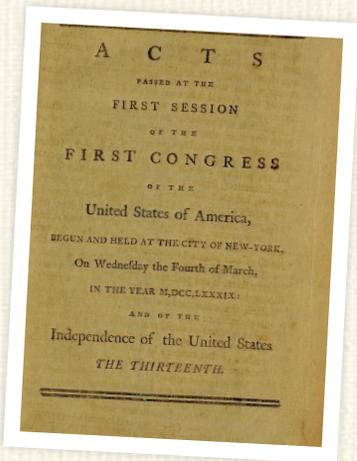


# Whiskey Tax of 1791 (1<sup>st</sup> Internal Revenue Tax)

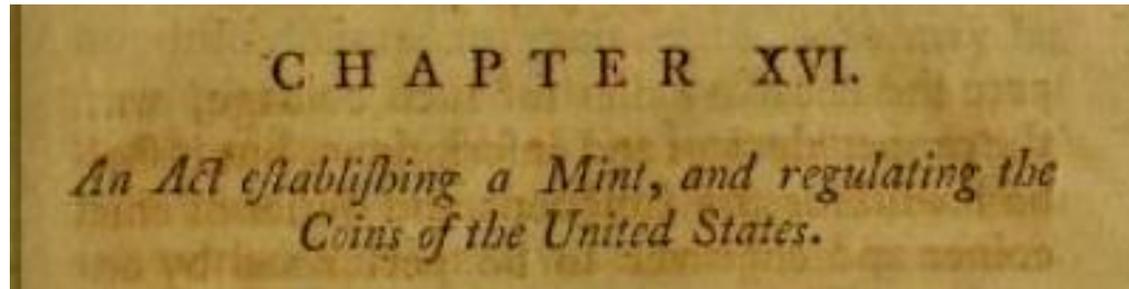
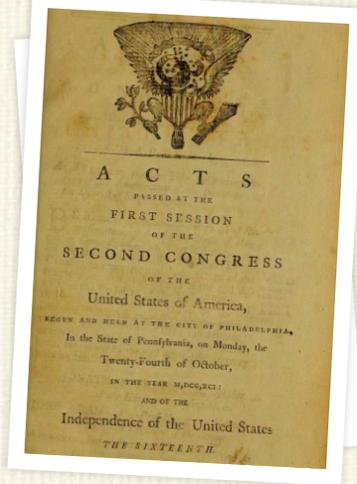
- First federal direct tax
- Presented first big text for new Federal government
- Whiskey was the most popular distilled beverage in the 18th-century.
- Hamilton thought the tax was needed to diversify federal revenue which was otherwise entirely dependent on tariffs/custom duties.
- Whiskey tax proved unpopular in the remote regions of Western Pennsylvania where homemade whiskey production was ingrained in the local culture and economy.
- In October of '94, Washington and Hamilton marched with 13,000 militia from NJ, MA & VA. First and only time that a sitting president led the army.
- When they arrived in western PA they faced little resistance. They arrested 150 rebels, most of whom were released due to lack of evidence.

## CHAPTER XV.

*An Act repealing, after the last Day of June next, the Duties heretofore laid upon distilled Spirits imported from Abroad, and laying others in their Stead ; and also upon Spirits distilled within the United States, and for appropriating the same.*



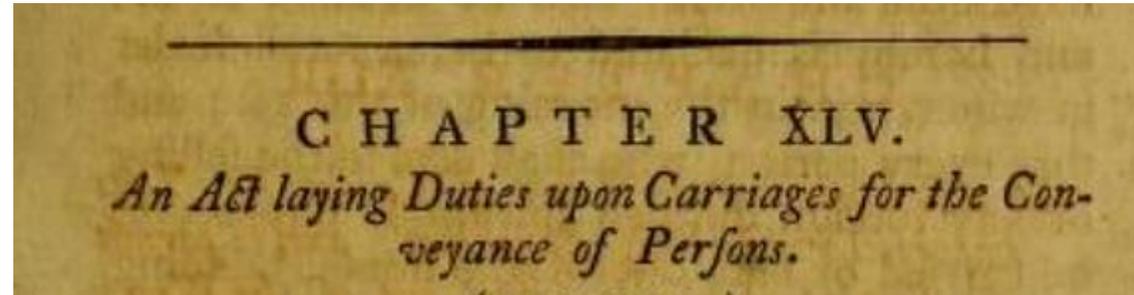
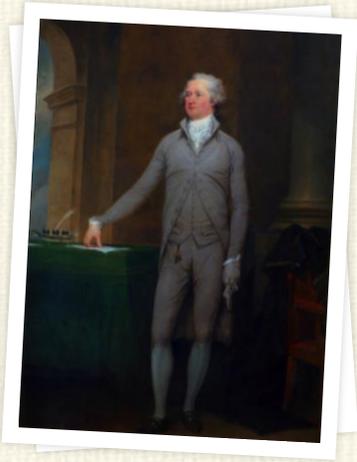
# Coinage Act of 1792 (Hamilton establishes the U.S. Mint)



- The first coins put into circulation were copper cents.
- Hamilton recognized that poor Americans, who were forced to barter, would greatly benefit from wider availability of copper coins.
- According to Hamilton, coins “of very small value are a great accommodation and the means of a beneficial economy to the Poor; by enabling them to purchase, in small portions, and at a more reasonable rate, the necessaries of which they stand in need.”
- At the time, the daily wage for workers was less than \$1 per day. Members of Congress were paid 50 cents per day, which was increased to \$1 per day in 1795 and \$6 per day in 1796.



# Carriage Act of 1794 (Hamilton the lawyer)



- After Hamilton left the cabinet in 1795, he returned to the practice of law.
- “By common consent, he was New York’s premier lawyer, with an elite clientele that included the city of Albany and the state of New York.” (Chernow)
- In 1796, Hamilton was called upon by AG William Bradford to represent the federal government before the Supreme Court in a case addressing the constitutionality a tax.
- In *Hylton v. U.S.*, 3 U.S. 171 (1796), Hamilton defended his handiwork in the first case testing the constitutionality of an act of Congress.
- The Court unanimously agreed with Hamilton that the Carriage Act was constitutional because the carriage tax was a permissible excise tax, rather than a direct tax that needed to be apportioned among the states.

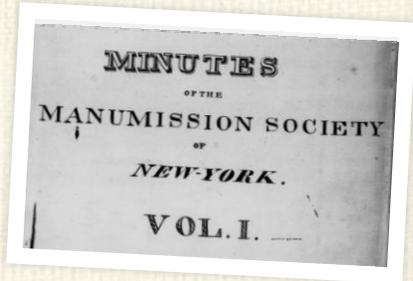
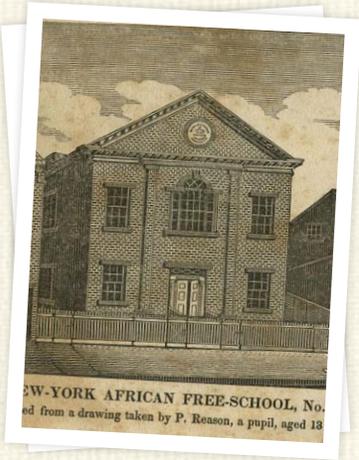


# Hamilton and the abolition of slavery in NY

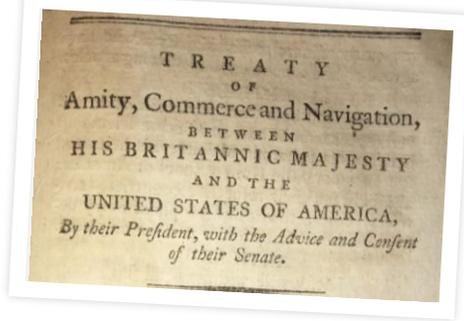
§ 16. Every person born within this state, whether white or coloured, is FREE; every person who shall hereafter be born within this state, shall be FREE; and every person brought into this state as a slave, except as authorised by this Title, shall be FREE.

Persons born in this state, &c. free.

- Hamilton was one of NY's leading abolitionists, who put his home state on the track to peacefully eliminate slavery.
- While a student at King's College, Hamilton wrote that slavery is "fatal to religion and morality; that it tends to debase the mind, and corrupt its noblest springs of action. I might shew, that it relaxes the sinews of industry, clips the wings of commerce, and introduces misery and indigence in every shape."
- Hamilton co-founded the New York Manumission Society in 1785, the first organization of its kind in NY.
- Hamilton served on a committee that actively lobbied the NY Legislature to abolish slavery in NY and end the slave trade.
- Hamilton worked as a "counselor" for the Society on behalf of freed slaves. He worked with the Manumission Society to establish the African Free School for African-American children. He supported John Laurens' proposal during the Revolutionary War to form the first black battalion in South Carolina, which would have resulted in the emancipation of southern slaves who fought for independence against Britain.



# Hamilton's Camillus essays defending Jay's Treaty



- The controversy over Jay's Treaty was arguably the greatest crisis of Washington's administration. In the face of furious opposition to the treaty, Hamilton wrote the *Camillus* essays to sway public opinion, save the treaty, and avoid war.
- Hamilton's columns were written using the pseudonym *Camillus*. The essays were initially published in the Jeffersonian newspaper *The Argus*.
- Hamilton also edited *Camillus* essays written by Sen. Rufus King and wrote additional essays under the pseudonym *Philo Camillus*, bringing the total to forty-two essays defending Jay's Treaty.
- The essays were written at the frenetic pace that Hamilton was known for, averaging a new essay every 4 1/2 days over a 5 month period. Altogether, Hamilton churned out almost 100,000 words while maintaining a full time law practice.
- Ron Chernow describes the *Camillus* essays as another magnum opus in Hamilton's canon. For Chernow, the essays support the claim that Hamilton was the "foremost political pamphleteer in American history."

# Other books in the collection

- *A System of Laws of the State of Connecticut* (the first American legal treatise) - 1795
- *The Perpetual Laws of Massachusetts* including the Mass constitution written by John Adams (published by patriot publisher Isaiah Thomas) - 1788
- Examples of *Justices of the Peace Manuals* (law in a saddle bag)
- Personal liberty laws (Northern resistance to slavery)
- *The Revised Laws of the State of NY* (the first American recodification of state law) - 1829
- *The Fundamental Constitutions of South Carolina* (published in the *Statutes at Large of South Carolina* by Thomas Cooper) - 1836

