

## The XYZ Affair

### Roles:

1. Narrator
2. John Marshall, an American diplomat
3. Elbridge Gerry, an American diplomat
4. Charles Pinckney, an American diplomat
5. X, a French official
6. Y, a French official
7. Z, a French official

**Narrator:** The French government did not like the Jay Treaty because they felt it showed American favoritism for Great Britain so the French began seizing our merchant ships sailing to England. President Adams decided to send a mission of three men to France to bring American ship seizures to an end.

**Marshall:** I, John Marshall, say to you, Monsieur X – if that is your real name - that it is probably not a surprise to you that our American delegation is here in France. As you know, President Adams is quite upset about the way your country has been viciously attacking American ships on the high seas.

**X:** Why, Mr. Marshall, on behalf of the French government, I assure you that this news of the alleged attacks is just as much a surprise to us, as was news of your country's recent treaty with Britain.

**Charles Pinckney:** Well, my colleagues, Mr. Marshall and Mr. Gerry, and I, Charles Pinckney of South Carolina, look forward to meeting the French foreign minister Talleyrand so we can work towards a solution which is acceptable to us all. The United States hopes to have good relations with France and all the civilized countries of the world.

**Y:** There is one request we would like to make before taking you to meet our honorable foreign minister.

**Gerry:** I'm sure we will be happy to fulfill it, what would it be, Monsieur Y?

**Z:** We would like to request a small one-time payment for the honor of meeting with our esteemed officials. They are very busy men as you know. You may consider it a ... how do you say? Convenience fee?

**Marshall:** A payment, Monsieur Z?! Did you say a payment?!

**Pinckney:** How absurd? A payment of what amount?

**X:** A mere \$250,000.

**Marshall:** \$250,000! Surely, this is a joke! Why would we pay an outrageous sum such as that to merely speak to Talleyrand?

**Y:** I'm sure you do not want to appear ungrateful - why your country would not even exist without the loyalty of the French. Have you forgotten our past kindness?

**Z:** It would seem you have indeed turned your backs on us considering Washington's Proclamation of Neutrality.

**X:** Our foreign minister is very occupied, dealing with the concerns of the French nation and our allies. Neutral nations must recognize our generosity in making time for diplomatic negotiation to address your country's concerns. We do insist upon payment.

**Gerry:** If you are under any impression that we shall be disrespected in this way, you are gravely mistaken! Might I remind you that the Federalists in America are already eager to go to war with France over this shipping issue.

**Marshall:** This diplomatic insult may be just the incentive they need to act on their inclinations!

**Y:** You may threaten us all you like, we do not fear threats of upstart nations. Our request still stands. If you want to see Talleyrand, you will have to meet our demands.

**Pinckney:** We will not waste our time further. Inform your foreign minister that we have declined his attempt at bribery, and we will return to the United States and spread news of this indignity to our good American people.

**Z:** Talleyrand will be most disconcerted, I am sure.

(The three American men exit quickly and haughtily. The French point and laugh heartily at their pouting.)

**Narrator:** When the American delegation returned with the news of the bribery scheme, they identified the three Frenchmen as X, Y, and Z. The Federalists were outraged and demanded war. Adams resisted their pressure and proposed that we strengthen our navy. He eventually sent another delegation to France and the French finally promised the seas would be free for American ships. Meanwhile, Adams was criticized by his party for backing down from the French insult and refusing to go to war.

## The Alien & Sedition Acts

### Roles

1. Narrator
2. Federalist 1
3. Federalist 2
4. Federalist 3
5. Federalist 4
6. Federalist 5
7. Federalist 6
8. Federalist 7
9. Federalist 8

**Narrator:** Back home, the Federalists were creating another crisis. They introduced a series of acts in Congress, supposedly to prepare the nation for war. When passed by Congress, these laws were the most repressive ever adopted in the United States.

**Federalist 1:** It seems in this time of preparing ourselves for war (wink, wink), we should introduce some laws in Congress which would protect the United States.

**Federalist 2:** I wholeheartedly agree! By chance, I have been thinking that we should increase the number of years you must live here to be a citizen. Not only could we protect ourselves from traitors, but most of those scoundrels vote for Jefferson's Democratic Republicans anyway!

**Federalist 3:** A grand idea! While we are at it, Presidents should surely be able to deport or imprison foreigners during war time.

**Federalist 4:** A sensible idea! Let's propose those measures right away! We'll call it the Alien Act!

**Federalist 5:** Wait! Wait! I have an even better idea that will serve the interests of our Federalist party. We should imprison or fine anyone who speaks against the government or criticizes U.S. officials! That way - we can curb Democratic Republican criticism!

**Federalist 6:** Wait - doesn't that violate our right to free speech guaranteed in the Constitution?

**Federalist 7:** Don't be such a ninny! This is a perfectly good idea! We can even make the law expire on the day of the next presidential inauguration. Then, if we lose the election, we will be free to criticize the new Democratic Republican government. If we win, we can renew the law. We can call it the Sedition Act.

**Federalist 8:** Excellent. Let's draw these plans up and get them to Congress. Long live the Federalist Part!

**All:** Long live the Federalist Party!

**Narrator:** While the Sedition Act was in effect, the government indicted fifteen Democratic Republican newspaper editors, convicting ten.

## The KY & VA Resolutions

### Roles

1. Narrator
2. Thomas Jefferson
3. James Madison

**Narrator:** To the Democratic Republicans, the Alien and Sedition Acts seemed to be a clear abuse of governmental power. Since Federalists controlled the federal courts, the Democratic Republicans turned to the individual state governments in an attempt to end the persecution stemming from the acts.

In 1798, the Kentucky and Virginia legislatures decided they would nullify, or declare invalid, any law the federal government passed. Thomas Jefferson and James Madison helped shape this legislation by actually writing the resolutions.

**Jefferson:** I say, Madison, those Alien and Sedition acts are a preposterous breach on our freedom.

**Madison:** Yes, yes, Jefferson, I agree. But what can be done?

**Jefferson:** As I've said before - it seems we've created a monster by allowing such a strong federal government.

**Madison:** Why, Jefferson, do you realize what you have stumbled upon? The states created the nation.

**Jefferson:** Yes. And so?

**Madison:** Having created the federal government, surely it is within reason that we could nullify those laws we don't agree with.

**Jefferson:** You mean overrule bad laws made on the federal level?

**Madison: Yes!**

**Jefferson:** Madison, that's brilliant, I will draw up some resolutions about that theory as soon as possible. I know Kentucky is debating what to do about these unfair laws.

**Madison:** So is Virginia. I'll see what I can do there.

(They exit)

**Narrator:** And so, Jefferson and Madison led Kentucky and Virginia to approving legal resolutions which allowed them to nullify federal laws. Unfortunately, they had little effect because no other states followed and the Alien and Sedition Acts eventually expired. Still, the issue of who had to power to nullify bad federal laws would be a continuing debate.

## The Election of 1800

### Roles

1. Narrator
2. Electoral College Chair
3. Thomas Jefferson
4. Aaron Burr
5. Alexander Hamilton

**Narrator:** President John Adams and Vice President Thomas Jefferson ran against each other in the Presidential Election of 1800. Adams was the incumbent, but had faced criticism from his own Federalist party and the Democratic Republicans.

Thomas Pinckney was Adams' running mate and Aaron Burr was Jefferson's. After the election, the electoral college gathered to cast their ballots and elect a President. In those days, each elector had two votes they could cast.

**Electoral College Chair:** Order, order! Could the body please come to order! The electoral ballots have been cast and counted. I will read the results ... I am afraid we have rendered a tied vote. . . .

**Jefferson :** A tie vote? Adams and I, Thomas Jefferson, tied?

**Chair:** Actually, it is a tie between Mr. Jefferson and Mr. Burr.

**Burr:** A tie between us?! We ran together and I, Aaron Burr, was intended to be Jefferson's Vice-President. How can this be?

**Chair:** Well, I suppose each of your electors cast one vote for each of you. They each have two votes. That would make the votes you received even in number.

**Hamilton:** As leader of the losing Federalist Party, I, Alexander Hamilton, cannot help but laugh at your foolish predicament. Had you been wise, you would have told one of your electors to cast a blank ballot instead of voting for Burr. Then Jefferson would have come in first, and Burr second. What a pity for you both.

**Burr:** I'm sure you are just smarting from your own party's crushing defeat, Hamilton. Do try and be a more gracious loser.

**Hamilton:** Speaking of losers, aren't you in line to be the next Vice President. The big #2? Or are you reconsidering that decision?

**Jefferson:** Gentlemen! Please! This will be an easy problem to solve. The vote will go to the House of Representatives.

**Burr:** Wait, in the House they will choose between the two of us, right?

**Hamilton:** That's right. Now it's a race between the two of you for President.

**Jefferson:** In no time, they'll be calling you Mr. Vice President, eh, Burr? Well, I must go thank my supporters.

**Hamilton:** And I must go console dear Mr. Adams . . .

**Burr:** Perhaps I should go consult my closest advisors. Why settle for being second best? Only a fool would pass up this opportunity! Perhaps I am destined to be president after all. It has a nice ring to it - "President Burr".

**Narrator:** To Jefferson's shock and amazement, Burr did in fact begin campaigning to be elected as President, not Vice President. The House of Representatives cast 35 tied rounds of ballots before Alexander Hamilton convinced two people to cast blank ballots, making Jefferson victorious. Hamilton, quite simply, chose between the lesser of the two evils. While he disliked Jefferson's political views, he hated Burr more. Jefferson became the first Democratic Republican president. Aaron Burr grudgingly became Vice President. Years later, Burr, won his revenge against Hamilton by shooting and killing him in a duel.

## The Judiciary Act of 1801

### Roles

1. Narrator
2. Assistant 1
3. President John Adams
4. Assistant 2

**Narrator:** The last major accomplishment of the Adams administration was the hurried passage of the Judiciary Act of 1801. By appointing all the federal judges it required, he could ensure that the Federalists would maintain control of the courts while the Democratic Republicans were in office.

(Both assistants run in breathless)

**Assistant 1:** Good news, President Adams! Good news! We finally got that Judiciary Act pushed through Congress!

**Adams:** Excellent. What does it provide?

**Assistant 2:** A new system of 16 circuit courts, and a reduction in the number of the Supreme Court Justices from 6 to 5.

**Assistant 1:** You know, with some quick work, we could get these appointments done by midnight.

**Assistant 2: So?**

**Assistant 1:** So, dummy, we could pack the courts with Federalist judges instead of leaving it for Jefferson to appoint Democratic Republicans to the positions. Wouldn't that burn old TJ.

**Adams:** Very true, and sneaky, but it is already past dinner time. We will never have enough time to write and sign the commissions. Perhaps this court packing plan just isn't meant to be.

**Assistant 1:** Nonsense! Get out the pens, (begins scrambling around to find these things) get out the paper, we can beat the clock. President Adams, get your writing hand warmed up ... It's gonna be a long night.

**Narrator:** Five hours later ....

**Adams:** Finally... the ... last... one...

**Assistant 2:** What say we leave the last of these for the new administration to deliver?

**Adams:** Fine, fine... Long live the Federalists...

**Assistants:** (weakly) Long live the Federalists...