

Chapter 221 – The Kansas Free Staters Draft A Constitution At Topeka Excluding Black Residents



Dates:
October 23 –
November 11,
1855

- Sections:**
- The Free Staters Meet At Their Topeka Convention
 - The Topeka Constitution Is Approved Including A “Black Exclusion” Clause

Date: October 23 – November 11, 1855

The Free Staters Meet At Their Topeka Convention

On September 19, 1855, the Free State Party in Kansas decide to try to pre-empt their Pro-Slavery opponents by quickly writing and passing their own constitution, and being first to apply to Congress for admission to the Union.

They start the process on October 23 at a Constitutional Convention, held in the town of Topeka, sixty mile southwest from Leavenworth, on the Missouri River.

A total of 37 delegates answer the roll call. They are predominantly Northerners by birth and Democrats by political affiliation. Most are farmers or lawyers, and under forty years of age.

Profile Of Topeka Delegates

Birthplace	#
Ohio Valley	21
South	12
New England	4
Age	
Under 30	9
30-39	16
40-49	7
50-59	4
60+	1
Occupation	
Farmers	15
Lawyers	11
Physicians	3
Merchants	3
Clergymen	2
Journalists	1
Indian Affairs Agent	1
Saddler	1

Party Affiliation	
Democrats	21
Whigs	10
Republicans	4
Independents	2

The controversial James Henry Lane is chosen to preside over the convention, and the final document will bear many of his beliefs. Another major figure is Charles Robinson, whose July 4, 1855 speech rallied the anti-slavery forces to meet in August and form the Free State Party.

They are joined by John Wakefield, who lost the rigged election for Congressional representative, and other men like Joel Goodin, Colonel Mark Delahay, Marcus Parrott and Orville Brown, who will help shape the Topeka Constitution.

Some Key Figures At The Free State Convention In Topeka (Fall 1855)

Name	Residence	Occupation	Birthplace	Age	Politics
James Henry Lane	Lawrence	Lawyer	KY	33	Democrat
Charles Robinson	Lawrence	Indian agent	Mass	37	Independent
John Wakefield	Elysian Plains	Lawyer	SC	59	Whig
Joel K. Goodin	Clear Lake	Law/Farmer	Ohio	31	Democrat
Marcus J. Parrott	Leavenworth	Lawyer	SC	26	Democrat
Col. Mark Delahay	Leavenworth	Law/Editor	Maryland	37	Democrat
Orville Brown	Osawatomie	Farmer	NY	44	Whig
William Graham	Prairie City	Physician	Ireland	39	Democrat
Amory Hunting	Manhattan	Physician	Mass	61	Republican
Robert Klotz	Pawnee	Merchant	Penn	35	Democrat
John Thompson	Silver Lake	Saddler	Penn	55	Democrat

Date: November 11, 1855

The Topeka Constitution Is Approved Including A “Black Exclusion” Clause

The convention proves to be highly contentious and lasts for sixteen straight days.

In many ways it is a microcosm of the conflicting views regarding slavery, and blacks in general, that prevails in the North and West.

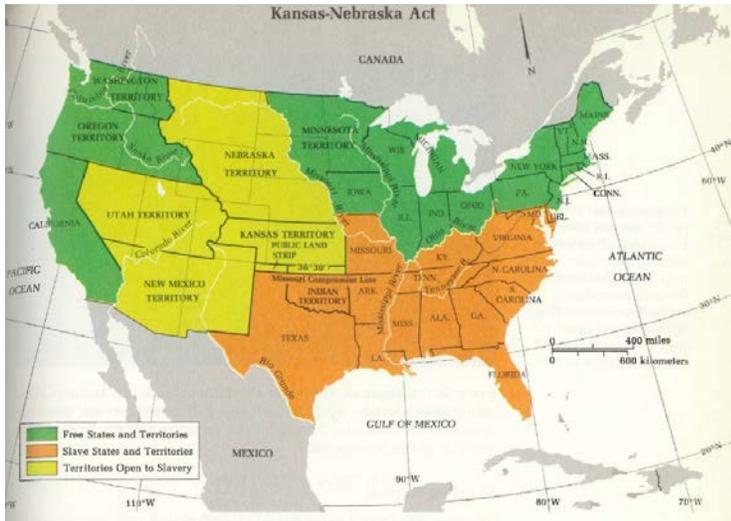
On one hand there are the supporters of James Henry Lane, a blatant racist, who wants to secure Kansas for white men by excluding all blacks from residing in its borders.

On the other, the backers of Charles Robinson, some hard core abolitionists, others simply opposed to seeing the further spread of slavery.

They are also a mix of Democrats and Whigs, so party politics come into play.

One contentious issue right away focuses on whether to support reinstatement of the 36’30” boundary line settled in the 1820 Missouri Compromise. Despite the fact that this would assure Kansas of Free State

status, a motion is narrowly defeated by a 15-17 margin, a reflection of the number of loyal “pop sov” Democrats and Southerners who are present.



Map Showing That 90% Of Kansas Falls North Of The 36'30" Line

A second proposal originates with the “Lane faction,” calling for a flat-out ban on all blacks – slave or free – from entering or residing within the borders of the new state.

This proposal – known as the “Black Exclusion Clause” – forces each delegate to decide whether their opposition to the spread of slavery is driven by racist aversion to all Africans or by genuine moral empathy for their plight.

The true Abolitionists at the convention – such as Charles Robinson – are appalled by the notion that Free Blacks would be denied entrance into Kansas. Lane’s anti-black racists are likewise appalled by the prospect of any Africans living in their midst. Between the two extremes are the moderates, not on a crusade, but simply wanting to contain the problems with slavery where they belong, in the South.

After much back and forth, a compromise is reached whereby the “Black Exclusion Clause” will be kept separate from the main body of the Constitution, but still offered up to a popular vote alongside it.

When all done, the final Topeka Constitution is an elaborate affair, mirroring prior frameworks, including a familiarly crafted Preamble:

We, the people of the Territory of Kansas, by our delegates in Convention assembled at Topeka..having the right of admission into the Union as one of the United States of America, consistent with the Federal Constitution, and by virtue of the treaty of cession by France to the United States of the Province of Louisiana, in order to secure to ourselves and our posterity the enjoyment of all the rights of life, liberty and property, and the free pursuit of happiness, do mutually agree with each other to form ourselves into a free and independent State, by the name and style of the State of Kansas....

It is followed by twenty-seven separate Articles covering the gamut from a Bill of Rights to the structure and duties of the proposed branches of government, electoral procedures (with a six month residency requirement), provisions for public institutions, taxing and finances, and so forth.

The subject of slavery is addressed in Article 1. Section 6 declares that Kansas will be a Free State.

Sec. 6. There shall be no slavery in this state, nor involuntary servitude, unless for the punishment of crime.

Section 21 prohibits owners from bringing their slaves into the state under the guise of renaming them “indentured servants.”

Sec. 21. No indenture of any negro or mulatto, made and executed out of the bounds of the State, shall be valid within the State.

With their Constitution now written, the Free State Party calls for ratification vote on December 15, 1855.

Chapter 222 – The “Wakarusa War” Presages Greater Violence To Come In Kansas

	<p>Dates: Spring to Winter, 1855</p>	<p>Sections:</p> <ul style="list-style-type: none"> • The Two Camps In Kansas Prepare For Open Warfare • A Dispute Over A Land Claim Lights The Fuse • The “Wakarusa War” Is Resolved By Cooler Heads • John Brown Writes About The Wakarusa War
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Date: Spring To Winter 1855

The Two Camps In Kansas Prepare For Open Warfare



In parallel with their efforts to form their “legitimate government,” the Free Staters also ready themselves to go to war with the Missouri men if need be.

Their preparations begin early in 1855 with the formation of the “Kansas Legion,” another secret order with members whose members wear black ribbons and who define their mission as:

First, to secure to Kansas the blessing and prosperity of being a Free State; and secondly, to protect the ballot box from the leprous touch of unprincipled men.

Securing the armaments needed for potential combat is a priority for the Free State men, and they send James Abbott, an early New England Emigrant Aid Society transplant, back east to contact Eli Thayer for help. Ironically two abolitionist preachers, Henry Ward Beecher and Thomas Higginson, respond with a shipment of 117 Sharp’s rifles, crated up in boxes, marked “Bibles,” and sent west – along with one 12 lb. howitzer, canister and fused shells.

Henry Ward Beecher (1813-1887)

The eastern press hears of this move and christens the cargo “Beecher’s Bibles.”

At the same time, the Pro-Slavery forces are also preparing for battle. On October 3, 1855, they organize a “Law and Order” posse dedicated to putting down “treason” in Kansas. In mid-November they meet in Leavenworth, with Governor Shannon present, to plot their strategies.

Both sides are now prepared to win through violence.

Date: November 21 – 27, 1855

A Dispute Over A Land Claim Lights The Fuse

The bloodshed begins on November 21, when Charles Dow is murdered by Franklin Coleman in Hickory Point, Kansas, setting off what becomes known as the “Wakarusa War.”

The motive for murder is not about slavery, but rather a heated dispute between the two neighbors over ownership of a 250 yard strip of land adjacent to their homes. The weapon is a shotgun, which leaves Dow bleeding to death in town, while Coleman retreats to his home to await arrest for his act.

Dow happens to be a Free State backer, and his friend, Jacob Branson, collects his body and has it buried. He then organizes a Free State “committee of vigilance” meeting on November 26 to decide how to avenge the death. A posse is formed to capture Coleman, but it ends up burning down his house after learning he has fled to Missouri.

When Branson returns home, he is arrested by Sheriff Samuel Jones for “disturbing the peace.”

As Jones tries to take Branson to jail, he encounters a band of Branson’s Free State friends who threaten violence to gain his release. Jones responds with restraint by surrendering Branson, who returns to Lawrence and the safety of Charles Robinson’s home.

From there, tensions mount quickly. Sheriff Jones informs Governor Shannon of Branson’s abduction. Shannon responds by calling out the territorial militia and issuing a public plea for help to restore law and order. The public response is more than the Governor bargains for, as roughly 1500 Pro-Slavery Missourians show up, all eager to attack the town of Lawrence and kill Branson along with his backers.

Date: November 28 – December 8, 1855

The “Wakarusa War” Is Resolved By Cooler Heads



Map Showing Dow’s Murder And The Siege Of Lawrence

The Missouri raiders assemble their main camp below the Wakarusa River, running west to east, just south of Lawrence, and prepare for a siege by establishing blockades along all roads into town.

Free State defenders inside Lawrence prepare a series of circular earthen forts, some seven feet high and one hundred feet across, along with connecting trenches and other rifle pits. They are commanded by James Henry Lane, who begins to earn his lasting nickname as “The Grim Chieftan.”

As the siege begins, so too do negotiations involving Governor Shannon and both sides.

Violence is avoided until the afternoon of December 6, when three perhaps unwitting Free State riders are stopped on a road leading to their homes, and interrogated as to their intentions. After guns are drawn, two men escape, but a third, named Thomas Barber, is killed by the Missourians.

Word of Barber’s death reaches Governor Shannon, who now fears that his militia units will be unable to stem a full out assault on Lawrence by the Pro-Slavery troops.

To forestall more bloodshed, Shannon meets both sides between the evening of December 6 and December 8, to work out a peaceful settlement. Here he enjoys a moment of success when an agreement is signed by ex-Senator David Atchison, Charles Robinson and James Lane. Its content is relatively anodyne: in exchange for no longer harboring Jacob Branson from prosecution (even though he has already left town), the government will lift the siege and not hold the citizens of Lawrence in contempt of the law.

For those in Lawrence, the outcome is regarded as a victory – and a gala ball is held to celebrate. Their city is intact; the Pro-Slavery forces have backed away; and the slain Thomas Barber will not have died in vain. To insure their future protection, Governor Shannon, perhaps inebriated at the time, has also authorized the Free Staters to form their own protective militia, something he will later regret.

The response among most of the Border Ruffians is the exact opposite. Not only have they been deprived of the military victory they prepared for at Lawrence, but both Jacob Branson and the Free State “nullifiers” have escaped without punishment. David Atchison, who signed the accord, defends his action by saying that a slaughter would have built sympathy in the North for a Free Kansas, and forced Washington to take a closer look at the legitimacy of the Pro-Slavery election wins.

Following the anti-climactic “Wakarusa War,” a momentary lull descends on Kansas, with the next act on the horizon being the December 15, 1856 vote on the Topeka Constitution and the Black Exclusion clause.

Sidebar: John Brown Writes About The Wakarusa War

One figure who misses out on the action in Lawrence is the fiery abolitionist, John Brown, who moves to Kansas in October 1855 to join three of his sons in fighting on behalf of the Free Staters. Brown settles at the town of Pottawatomie Creek, some 50 miles south of Lawrence. When he learns of the pending siege, he heads toward the conflict, only to arrive after the truce is negotiated. He writes the following account of the episode to his wife and other children, still living in North Elba, New York.

OSAWATOMIE, K. T., 16th December, 1855. Sabbath evening.

DEAR WIFE AND CHILDREN, EVERY ONE: I improve the first moment since my return from the camp of volunteers who lately turned out for the defense of the town of Lawrence, in this Territory, and notwithstanding, I suppose you have learned the result before this (possibly), will give a brief account of the invasion in my own way.

About three or four weeks ago, news came that a Free-state man by the name of Dow had been murdered by a Pro-slavery man named Coleman, who had gone and given himself up for trial to Pro-slavery Gov. Shannon. This was soon followed by further news that a Free-state man (i.e. Branson)...had been seized by a Missourian, appointed Sheriff by the bogus Legislature of Kansas, upon false pretenses...and, that, while on his way to jail, in charge of the bogus Sheriff, he was rescued by some men belonging to a company near Lawrence; and that, in consequence of the rescue, Gov. Shannon had ordered out all the Pro-slavery force he could muster in the Territory, and called on Missouri for further help.

That about two thousand had collected, demanding a surrender of (Branson) and the rescuers, the destruction of several buildings and printing presses, and a giving up of the Sharpe's rifles by the Free-state man, threatening to destroy the town with cannon with which they were provided, etc.; that about an equal number of Free-state men had turned out to resist them, and that a battle was hourly expected, or supposed to have been already fought.

These reports seemed to be well authenticated, but we could get no further account of matters, and I left... for the place where the boys were settled at evening, intending to go to

Lawrence to learn the facts the next day. (Then) word came that our help was immediately wanted. On getting this news, it was at once agreed to break up at John's camp, and take Wealthy and Johnny to Jason's camp (some two miles off), and that all the men but Henry, Jason and Oliver should at once set off for Lawrence under arms, those three being wholly unfit for duty.

We then set about providing a little corn bread and meat, blankets, cooking utensils, running bullets, loading all our guns, pistols, etc. The five set off in the afternoon, and after a short rest in the night (which was quite dark) continued our march until after daylight next morning, when we got our breakfast, started again, and reached Lawrence in the forenoon, all of us more or less lamed by our tramp.

On reaching the place, we found that negotiations had commenced between Gov. Shannon (having a force of some fifteen or sixteen hundred men) and the principal leaders of the Free-state men, they having a force of some five hundred men at that time. These were busy night and day fortifying the town with embankments and circular earthworks up to the time of the treaty with the Governor, as an attack was constantly looked for, notwithstanding the negotiations then pending.

This state of things continued from Friday until Sunday evening. On the evening we left, a company of the invaders of from fifteen to twenty-five attacked some three or four Free-state men, mostly unarmed, killing a Mr. Barber, from Ohio, wholly unarmed. His body was afterward brought in and lay for some days in the room afterward occupied by the company to which I belonged (it being organized after we reached Lawrence). The building was a large, unfinished stone hotel, in which a great part of the volunteers were quartered, and who witnessed the scene of bringing in the wife and friends of the murdered man. I will only say of this scene that it was heart-rending, and calculated to exasperate the men exceedingly, and one of the sure results of civil war.

After frequently calling on the leaders of the Free-state men to come and have an interview... Gov. Shannon ...signified his wish to come into the town, and an escort was sent to the invaders' camp to conduct him in. When there, the leading Free-state men, finding out his weakness, frailty and consciousness of the awkward circumstances into which he had really got himself, took advantage of his cowardice and folly, and by means of that and the free use of whisky and some trickery succeeded in getting a written arrangement with him, much to their own liking.

He stipulated with them to order the Pro-slavery men of Kansas home, and to proclaim to the Missouri invaders that they must quit the Territory without delay, and also give up Gen. Pomeroy, a prisoner in their camp, which was all done; he also recognized the volunteers as the militia of Kansas, and empowered their officers to call them out whenever, in their discretion, the safety of Lawrence or other portions of the Territory might require it to be done.

He, Gov. Shannon, gave up all pretension of further attempt to enforce the enactments of the bogus Legislature and retired, subject to the derision and scoffs of the Free-state men (into whose hands he had committed the welfare and protection of Kansas), and to the pity of some and the curses of others of the invading force. So ended this last Kansas invasion, the Missourians returning with flying colors after incurring heavy expenses, suffering great exposure, hardships and privations, not having fought any battles, burned or destroyed any infant towns or Abolition presses, leaving the Free-state men organized and armed, and in

full possession of the Territory, not having fulfilled any of all their dreadful threatenings, except to murder one unarmed man, and to commit some robberies and waste of property upon defenseless families unfortunately in their power.

*...But enough of this, as we intend to send you a paper giving a fuller account of the affair. We have cause for gratitude that we all returned safe and well, with the exception of hard colds, and found those left behind rather improving....Henry and Oliver, and I may say, Jason, were disappointed in not being able to go to the war. The disposition of both our camps to turn out was uniform. * * * * May God abundantly bless you all and make you faithful.*

*Your affectionate husband and father,
JOHN BROWN.*

Chapter 223 – Kansas Voters Ratify The Topeka Constitution Banning All Blacks From Residency



Dates:
December 15, 1855
-- January 15, 1856

- Sections:**
- Voting Confirms The Topeka Constitution And The Black Exclusion Clause
 - The Free State Party Then Elects Its Own Set of Legislators And State Officers

Date: December 15, 1855

Voting Confirms The Topeka Constitution And The Black Exclusion Clause



The Ex-Slave, Rebecca, Seated Next To An American Flag

With the Wakarusa affair resolved, the Free State Party is ready to submit their Topeka Constitution to a vote, in line with their interpretation of the popular sovereignty procedures.

Polling takes place on December 15, 1855, and this time it is largely peaceful as the Pro-Slavery Missouri men simply choose to ignore the event as irrelevant.

Two documents are voted on – first the Topeka Constitution itself, and second the “Black Exclusion” measure.

The Constitution is approved almost unanimously.

Topeka Constitution Voting

Kansans:	# Ballots
Approve	1,731
Disapprove	46

Then comes the “Black Exclusion” vote, which would:

Ban Negroes and Mulattoes from settling within the state borders.

This vote is important because it indicates how many Kansans favor Free State status because of moral opposition to slavery versus on the basis of anti-black racism and/or simply self-interest as white men.

The margin here is closer, but still overwhelming – with voters choosing 3:1 in favor of cleansing their state of *all* blacks!

“Black Exclusion” Voting

Kansans:	# Ballots
Approve	1,287
Disapprove	453

This anti-black expression in Kansas is, however, not new. It follows the patterns set by prior constitutional debates in Ohio, Indiana, Illinois and California, and presages an even more legally entrenched ban in the state of Oregon.

It reveals that white American across the North fear and diminish black Africans with nearly as much zeal as their Southern brethren. As one Free Soil clergyman puts it:

I kem to Kansas to live in a free state and I don't want niggers a tramping over my grave.

Furthermore it signals the belief that the “black problem” belongs to the “Slave Power” states, and should not be “carried” into the new territories out west.

It is the militia man, James Lane, who certifies the results and announces that the state will now be governed according to the new by-laws.

Date: January 15, 1856

The Free State Party Then Elects Its Own Set of Legislators And State Officers

With their Topeka Constitution approved, the Free State Party goes on to elect a second Governor and Legislature for the Kansas Territory, designed to oppose the bogus rule of the Pro-Slavers in Lecompton.

To do so, they hold a vote of January 15, 1856, administered across twelve polling place. This too is peaceful, as the Pro-Slavery opponents again ignore the voting as irrelevant – given that their “official” government is already in place.

The vote count for officers about matches that recorded for the Topeka Constitution a month earlier. It comes in around 1700 in total, with most, if not all, actual residents of the state.

The winning candidate for Governor is Dr. Charles Robinson, originally an agent for Thayer’s New England Emigrant Society, then the force behind the founding of the Free State Party at Lawrence. Robinson enjoys a 3:1 margin over his nearest opponent, despite his reputation as an abolitionist.

Since the plan is to immediately apply for admission to the Union under the Topeka Constitution, the party decides to also elect its two proposed U.S. Senators and one U.S. House member at the same time. The choices for state Senator are the militia leader, James Henry Lane, and the ex-Governor, Andrew Reeder. Mark W. Delahay, a lawyer and newspaper editor from Leavenworth, is selected to represent Kansas in the U.S. House.

A full slate of state legislators are also elected and they soon convene to begin reversing the Pro-Slavery laws passed by the 'Bogus Legislature' at Lecompton. Their work continues until March 15, 1856, when they go into recess before a planned resumption on July 4, 1856.

Finally, James Lane is also chosen to head to Washington to present the Topeka Constitution to Congress, and lobby for the immediate admission to the Union.

With this much done, Kansas is left with two complete and antithetical sets of governments in place – a situation without precedent and one that cannot and does not endure.

Chapter 224 – A Small Group Of Republicans Meet To Formulate Election Strategies



Dates:
December 25, 1855

Sections:

- A Disgruntled Democrat Hosts A Pivotal Dinner Event For The Republicans

Date: December 25, 1855

A Disgruntled Democrat Hosts A Pivotal Dinner Event For The Republicans



Francis Preston Blair, Sr. (1791-1876)

The Republican movement is just over eighteen months old when Francis Preston Blair, Sr. convenes a Christmas dinner meeting at his Washington D.C. home to discuss organizational strategy for the new party.

Old man Blair is a Southerner, a onetime member of Andrew Jackson’s “kitchen cabinet,” and for many years a king-maker within the Democratic Party. As such he seems an unlikely candidate to be hosting a Republican event.

But like his friend, Thomas Hart Benton, Blair is also a “reformed” slave holder, who turns on Pierce over the Kansas-Nebraska Act and now calls his old party:

A rotten organization composed and managed altogether by rotten men.

While Henry Seward declines Blair’s dinner invitation, other key founders attend. Chase is there, eager to share lessons learned from his “Ohio campaign” and to win the Republican nomination. So too are fellow abolitionist colleagues, Senator Charles Sumner and Gamaliel Bailey, editor of the *National Era* -- along with the Free Soiler, Preston King, and the rising House member, Nathaniel Banks, already gravitating toward a switch from the Know Nothings to the Republicans.

At the session, the forever clever Salmon Chase touts his “fusion strategy” for the Republican Party.

Chase recognizes -- based on his experiences with the Free Soil movement he founds in 1848 -- that the number of Americans who oppose the spread of slavery on moral grounds is too small to win a national election.

He also believes that the Know Nothings face a similar barrier, with not enough voters driven by antipathy toward the Catholic immigrants.

However, Chase argues that, taken together, almost on a half and half basis, the “fusion” of these two groups should be sizable enough to elect the next president.

Assuming, of course, two other things: first, the right candidate, and second, a strong organization, especially across the dominant states in the North.

The right candidate must be someone sufficiently appealing to one constituency while not alienating the other. To satisfy the Republicans, this means someone who is not perceived to be too radically opposed to foreigners and Catholics. Among the Know Nothings, the choice must not be perceived as too “pro-Negro.”

Chase is convinced that he qualifies on both counts; others are less sure, given his well-known abolitionist stance.

The dinner ends with several important agreements:

- The Republicans will back Nathaniel Banks for Speaker of the House when the 34th Congress convenes;
- Efforts will be made to get Henry Seward and Thurlow Weed on board with future actions;
- A “mass organizational meeting” will be called on Washington’s birthday (February 22, 1856); and
- The likely site will be in the pivotal state of Pennsylvania, probably at Pittsburgh.

Sidebar: Frederick Douglass On The Republican Party And His Path To Ending Slavery

By the time Francis Blair holds his dinner, Frederick Douglass has become an acute observer of Northern attitudes toward slavery, among the politicians and public alike. Both, he decides, are far less concerned about ending slavery than about finally bringing the Southern “Slave Power” to its knees, by rejecting its self-serving efforts to enforce the Fugitive Slave Act and reverse the Missouri Compromise. And Douglass sees this same emphasis playing out within the new Republican Party.

The Republican Party is...only negatively antislavery. It is opposed to the political power of slavery rather than to slavery itself.

While “survey data” about public attitudes toward “slavery itself” are not available in the 19th century, a few anecdotal observations lend credence to Douglass’ assessment:

- In 1838 only 4% out the 6.0 million “base” of Northern whites over the age of 20 have joined a chapter of the American Anti-Slavery Society.
- In the election of 1844, less than 1% (62,000 of the 7.8 million base) vote for James Birney, the abolitionist candidate of the Liberty Party.
- During 1852 circulation of Stowe’s anti-slavery novel *Uncle Tom’s Cabin* reaches 1.5 million or roughly 15% of the now 10.1 million in the base.

On top of this are the repeated efforts by white Northerners to either “re-colonize” freed blacks or to segregate them in ghettos or, finally, to write Constitutions – from Ohio through Indiana, Illinois, Kansas, Oregon and elsewhere – barring all negroes from taking up residence within state boundaries.

From the above, it seems fair to estimate that, at the time the Republican Party is born, fewer than one in four whites in the North (and almost none in the South) actively oppose what Douglass terms as “slavery itself.”

The question for him then becomes “what to do about this?”

In the early 1840’s he hopes, like Garrison, that the “moral suasion” in his lectures will be sufficient to win enough white converts. By 1850, he splits with Garrison and affiliates himself with Gerritt Smith and the New York abolitionists who seek solutions in politics and legislation.

As time passes, however, Douglass, like Lincoln, sees little hope that the majority of whites will ever support freeing the slaves, given the negative stereotypes of blacks ingrained in the culture.

Thus his famous argument that if blacks are ever to achieve freedom and justice in American society, it will be because of their own efforts rather than any sudden burst of empathy and good will on the part of the white public or politicians.

Every day brings evidence...that our elevation as a race is almost wholly dependent upon our own exertions. If we are ever elevated, (it) will be accomplished through our own instrumentality.

Like Nat Turner and others before him, frustration soon lead him to supporting a violent insurrection at Harpers Ferry, as a member of the “Secret Six.” Ironically this landmark event will be carried out by his long-term white friend, “Captain” John Brown.

Chapter 225 – After 133 Ballots The New House Selects A “Know-Nothing” As Speaker



Dates:
December 3, 1852 to
February 2, 1856

Sections:

- Four Political Factions Vie To Elect Their Candidate As Speaker Of The House
- Nathaniel Banks Is Finally Chosen By Plurality

Date: December 3, 1855

Four Political Factions Vie To Elect Their Candidate As Speaker Of The House

Amidst the growing turmoil in Kansas, the 34th Congress convenes on December 3, 1855.

It is marked by dramatic turn-over in the House, resulting from the Democrat’s loss of 75 seats in the mid-term voting and the near collapse of the Whig Party.

U.S. House Make-Up: December 1856

Party Coalitions	# Seats
Democrats	83
“Opposition Party”	54
Know-Nothings	51
Anti-Nebraska/Free Soil	37
Total	225

The first order of business lies in selecting a Speaker, and each of the four factions puts forward their candidates.

For the Democrats, the leading contender is William Richardson of Illinois, close ally of Stephen Douglas, and best known for driving the Kansas-Nebraska through the lower chamber.

The “Opposition Party,” consisting mainly of ex-Whigs, are split between two men, Henry Fuller of Pennsylvania, and Alexander Pennington of New Jersey.

The Know-Nothings lack a clear front-runner. Some back “Bobbin Boy” Nathaniel Banks, erstwhile Republican, who begins as a mill worker, enters politics as a Democrat, breaks with the party over the Nebraska Bill, and joins the anti-slavery wing of the American Party in time for its 1856 sweep in Massachusetts. Others favor Southern options, notably Kentucky’s Humphrey Marshall, Felix Zollicofer of Tennessee and James Ricaud of Maryland.

The Anti-Nebraska members are behind the Free-Soiler, Lewis Campbell, of Ohio, whose fiery rhetoric against the Douglas's bill provokes a physical assault by a democratic opponent from Virginia.

Major Candidates For Speaker Of The House: 34th Congress

Party Coalitions	Candidates	State	Term #
Democrats	William Richardson	Illinois	4 th
	James Orr	South Carolina	4 th
	William Aiken, Jr.	South Carolina	2 nd
	Thomas J. D. Fuller	Maine	4 th
	John Wheeler	New York	2 nd
"Opposition Party"	Henry Fuller	Pennsylvania	2 nd
	Alexander Pennington	New Jersey	2 nd
Know-Nothings	Nathaniel Banks	Massachusetts	2 nd
	Benjamin Thurston	Rhode Island	4 th
	Humphrey Marshall	Kentucky	3 rd
	James B. Ricaud	Maryland	1 st
	Felix Zollicofer	Tennessee	2 nd
Anti-Nebraska/Free Soil	Lewis D. Campbell	Ohio	4 th

The traditional House rule demands that a Speaker win a majority of the votes cast on any given ballot, and the only person even remotely close on the opening count is William Richardson, with 38% of the total.

First Ballot Cast For Speaker: December 3, 1855

Representatives	Party	# Votes
William A. Richardson	Democrat	74
Lewis D. Campbell	Anti-Nebraska	53
Nathaniel Banks	Know-Nothing	30
Henry Fuller	Opposition	21
Alexander Pennington	Opposition	17
16 Others	----	2
Total		197

From this initial ballot forward it becomes clear that none of the four party factions are willing to budge.

A total of thirty-three separate votes are taken over six days.

Session Days	First	Second	Third	Fourth	Fifth	Sixth
# Votes Taken	4	5	6	6	6	6

The first break comes after Ballot #23, when Lewis Campbell, who has actually surpassed Richardson on Ballot #14, drops from contention. By Ballot #30, it becomes clear that the bulk of his Anti-Nebraska/Free Soils support has shifted to another Northerner, Nathaniel Banks.

Ballots Cast For Speaker Of The House: #14 -- #30

Know Nothings	Party	#14	#23	#24	#30
William A. Richardson	Democrat	74	73	74	73
Lewis D. Campbell	Anti-Nebraska	81	75	1	0
Nathaniel Banks	Know-Nothing	8	10	41	98
Henry Fuller	Opposition	21	16	19	28
Humphrey Marshall	Know-Nothing	13	0	0	0
Alexander Pennington	Opposition	5	9	18	4
All Others	----	21	36	67	16
Total		223	220	219	219

Date: December 1855 – February 2, 1856

Nathaniel Banks Is Finally Chosen By Plurality



Nathaniel Banks (1816-1894)

Banks continues to add supporters, and reaches 107 votes by Ballot #41, just six shy of the required majority.

Ballots Cast For Speaker Of The House: #31 -- #41

Know Nothings	Party	#31	#41
Nathaniel Banks	Know-Nothing	99	107
William A. Richardson	Democrat	72	74
Henry Fuller	Opposition	29	28
All Others	----	21	16
Total		221	225

But this is followed by a prolonged stalemate, lasting well over a month. On Ballot #115, Bank’s total has dropped to 88 votes and roughly 30 members decide against even casting their ballots.

Ballots Cast For Speaker Of The House: #95 -- #115

Know Nothings	Party	#95	#115
Nathaniel Banks	Know-Nothing	101	88
William A. Richardson	Democrat	73	65
Henry Fuller	Opposition	29	29
All Others	----	11	13
Total		214	195

The logjam is finally broken after Ballot #122 when the Democrat William Richardson withdraws, and Fuller’s support begins to fade. The South Carolina Democrat, James Orr picks up Richardson’s supporters, while James Ricaud, a Maryland Know-Nothing reaches a momentary high.

Ballots Cast For Speaker Of The House: #122 -- #123

Know Nothings	Party	122	123
Nathaniel Banks	Know-Nothing	90	96
William A. Richardson	Democrat	65	0
Henry Fuller	Opposition	30	12
James Orr	Democrat	0	68
James Ricaud	Know Nothing	0	18
All-Others		9	9
Total		194	203

The next shift occurs after Ballot #129, when Orr give way to another South Carolinian, William Aiken, Jr., owner of the mammoth rice plantation on Jehossee Island. Aiken also adds votes from Henry Fuller, in an evidently last ditch effort to prevent Banks from winning.

At this point, all sides have had enough, and the Know-Nothings and Democrats agree to hold three more ballots and, if no one achieves a majority, to settle the matter based on a plurality.

On February 2, 1856, sixty-one days after polling began, the Know Nothing Nathaniel Banks wins the Speakership by a narrow 103-100 margin on Ballot #133. This surpasses the 63 ballots required to elect Howell Cobb in 1849, as the longest races in history.

Final Ballots Cast For Speaker: #129 -- #133

Know Nothings	Party	129	130	131	132	133
Nathaniel Banks	Know-Nothing	99	102	102	102	103
William Aiken, Jr.	Democrat	0	93	93	92	100
Henry Fuller	Opposition	34	14	14	13	6
James Orr	Democrat	69	0	0	0	0
All-Others		8	6	6	6	5
Total		210	215	215	213	214

In the end it appears that Banks victory traces to several factors: the current popularity of his Know-Nothing Party; his prior association with the anti-slavery wing of the Free Soil movement; and his regional appeal as a Northern Yankee, ready to blunt Southern wishes if need be. None of these reasons bode well for Franklin Pierce and the Democrats.

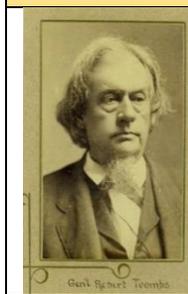
Sidebar: A Recap Of “High-Water” Vote Totals In The 1856 Race For Speaker

A total of fourteen different politicians enjoy serious levels of support, albeit often momentary, for the position of Speaker. Five of them – Banks, Aiken, Campbell, Richardson and Orr – gather upwards of one-third of total votes cast along the way.

Top Vote Counts For Serious Speakership Contenders (1855-56)

Know Nothings	State	Term	Prior Party	Highest Vote	On Ballot #
Nathaniel Banks	Mass	2nd	Free Soil	103	133
Humphrey Marshall	Ky.	3 rd	Whig	30	4
James Ricaud	Md.	1 st	Whig	18	123
Felix Zollicofer	Tenn	2 nd	Whig	15	23
William R. Smith	Ala	3 rd	Democrat	14	16
Benjamin Thurston	R.I.	4 th	Democrat	8	26
Democrats					
William Aiken, Jr.	S.C.	2 nd	Democrat	100	133
William A. Richardson	Ill	4 th	Democrat	78	5
James L. Orr	S.C.	4 th	Democrat	69	129
Thomas J.D. Fuller	Maine	4 th	Democrat	19	12
John Wheeler	N.Y.	2 nd	Democrat	13	21
Opposition					
Henry Fuller	Penn	2 nd	Whig	41	57
Alexander Pennington	N.J.	2 nd	Whig	20	21
Anti-Nebraska/Free Soil					
Lewis D. Campbell	Ohio	4 th	Whig	81	14

Chapter 226 – Georgia’s Robert Toombs Makes The “States Rights” Case For Slavery In Boston



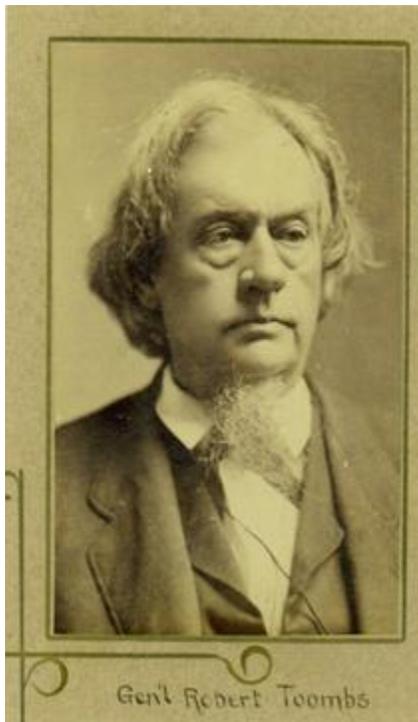
Dates:
January 24, 1856

Sections:

- Toombs Is Invited To Speak In Boston About The Issue Of Slavery
- Decisions About Slavery Belong With The Sovereign States Not The Federal Government
- Blacks Are Much Better Off As Slaves In The South Than Freedmen In The North
- With Its Slavery The Southern States Lead The World In Prosperity
- Toombs Stands As A Weathervane For Southern Moderates

Date: January 24, 1856

Toombs Is Invited To Speak In Boston About The Issue Of Slavery



Robert Toombs (1810-1885)

Given the ongoing tension around slavery both in Boston and nationally, an invitation is sent by ex-congressman William Appleton to his former Whig colleague, Robert Toombs of Georgia, to come north to Massachusetts and provide his views on the topic. Toombs accepts and, on January 24, 1856, addresses a large gathering at the Tremont Temple, formerly a theater, now a place of worship and public lectures run by the Free Church Baptists of Boston.

Toombs is forty-five years old at the time, and has played a pivotal role all along in the North-South divisions over slavery. In 1849 he has joined Alexander Stephens, John J. Crittenden and Howell Cobb in opposing John C. Calhoun’s attempt to form a new States Rights Party to defend Southern interests.

But Toombs’s Jackson-like commitment to the sanctity of the Union is shaken by Zachary Taylor’s opposition to extending slavery into the west. In his famous January 27, 1850 speech in the House, he shocks his colleagues by asserting that he is for Disunion *if* the South is denied its rights in the new territories.

....I do not then hesitate to avow before this House and the country, and in the presence of the living God, that if by your legislation you seek to drive us from the Territories purchased by the common blood and treasure of the people, and to abolish slavery in the District, thereby attempting to fix a national degradation upon half the States of this confederacy, I am for Disunion,

After that threat, Toombs tries to put together a Constitutional Union Party dedicated to following the “contract” agreed to in 1787. When this fails, he becomes a Democrat in 1853, believing that it represents the best chance for the South to retain some power over its future in Washington.

In accepting Appleton’s invitation, Toombs follows Texas Senator Sam Houston who has made his case *against* the continuation of slavery one year earlier at the Temple. So now it is Toombs turn to offer a rebuttal, and he begins by summarizing the two points he hopes to demonstrate to the audience:

I propose to submit to you this evening some considerations and reflections upon two points.

1st. The constitutional powers and duties of the Federal Government in relation to Domestic Slavery.

2nd. The influence of Slavery as it exists in the United States upon the Slave and Society.

Under the first head I shall endeavor to show that Congress has no power to limit, restrain, or in any manner to impair slavery but, on the contrary, it is bound to protect and maintain it in the States where it exists, and wherever its flag floats and its jurisdiction is paramount.

On the second point, I maintain that so long as the African and Caucasian races co-exist in the same society, that the subordination of the African is its normal, necessary and proper condition, and that such subordination is the condition best calculated to promote the highest interest and the greatest happiness of both races, and consequently of the whole society: and that the abolition of slavery, under these conditions is not a remedy for any of the evils of the system.

Date: January 24, 1856

Decisions About Slavery Belong With The Sovereign States Not The Federal Government

In the first part of his address, Toombs assumes the role of legal scholar lecturing his Northern audience on details of the 1787 Constitution, and agreements reached at that time on the institution of slavery.

He argues that the central debate at Philadelphia was over the proper division of power between the one aggregate Federal Government and the thirteen Sovereign States – and that this division was carefully articulated in the original document and in the Tenth Amendment within the Bill of Rights.

Simply stated, the Federal Government was assigned a set of “enumerated powers” designed to:

Make a more perfect Union, establish justice, insure domestic tranquility, provide for the common defense and general welfare, and to secure the blessings of liberty to (themselves and their) posterity.

According to Toombs, these Federal powers were specified one by one in the various Articles, Sections and Clauses written, debated, resolved and ratified.

However, the founders then added the Tenth Amendment, assigning all non-enumerated powers back to each of the Sovereign States or to the people.

The powers not herein delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

This Tenth Amendment was the work of Jefferson and Madison, and it was intended to limit the power of the central government, to prohibit it from behaving like a British monarchy, and to allow local issues to be settled more effectively at the local level.

With that much stated, Toombs attempts to show how the founders applied these overarching principles to the contentious issue of slavery. He argues that the sum total of the Federal Government's enumerated powers on slavery is contained in three sections:

The Enumerated Powers Of The Federal Government In Regard To Slavery

Citation	Declarations
1 st Article, 9 th Section	The importation of (slaves) shall not be prohibited by Congress prior to the year 1808
1 st Article, 2 nd Section, 3 rd Clause	Numbers (of House seats) shall be determined by adding to the whole number of free persons...three fifths of all other persons.
4 th Article, 2 nd Section, 3 rd Clause	No person held to serve or labor in one state by the laws thereof, (and) escaping into another shall in consequence of any law therein be discharged from such service or labor, but shall be delivered up on claim of the party to whom such service or labor may be due.

Because the delegates were often deeply divided on the issue, the construction of the clauses used to clarify the intended role of the Federal Government leave no room for misinterpretation.

None of these clauses admit of misconception or doubtful construction. They were not incorporated into the charter of our liberties by surprise or inattention, they were each and all of them introduced into that body, debated, referred to committees, reported upon, and adopted. Our construction of them is supported by one unbroken and harmonious current of decisions and adjudications by the Executive, Legislature, and Judicial Departments of the Government, State and Federal, from President Washington to President Pierce.

He points out that nowhere in these enumerated powers is there any reference to the Federal Government's authority to interfere in a state's right to allow domestic slavery. And that precedent held firm until what Toombs regards as the "extraordinary pretension" of Federal power asserted by the "non-slaveholding states" in the 1820 Missouri Compromise legislation.

These Constitutional provisions were generally acquiesced in even by those who did not approve them, until a new and less obvious question arose out of the acquisition of territory....But in 1819, thirty years after the Constitution was adopted, upon application of Missouri into the Union the extraordinary pretension was, for the first time, asserted by a majority of the non-slaveholding States, that Congress not only had the power to prohibit the extension of slavery into new territories of the Republic, but that it had the power to compel new States seeking admission into the Union to prohibit it in their own constitutions and mould their domestic policy in all respects to suit the opinions, whims, or caprices of the Federal Government... This novel and extraordinary pretension subjected the whole power of Congress over the territories ...a gigantic assumption of unlimited power in all cases whatsoever over the territories.

Those who supported the 36'30" boundary line in the 1820 Bill claimed that it was required by the "necessary and proper" directive, Article 1/Section 8/Clause 18 of the Constitution:

The Congress shall have Power ... To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

But, according to Toombs, the new mandate creating the 36'30" line was clearly *not* "necessary" given:

The fact that seven territories have been governed by Congress and trained into sovereign States without its exercise.

Nor, he says, were the "rules and regulations respecting the territories and other property of the United States" in any way "proper"...

Because they violate the fundamental condition of the Union---the equality of the States... In 1819 Florida was acquired by purchase; the laws recognized and protected slavery at the time of the acquisition. The United States extended the same recognition and protection to it. In all this legislation, embracing every act up to 1820, we find no warrant, authority, or precedent, for the prohibition of slavery by Congress in the territories.

The South was patient and acquiesced to the 36'30" boundary line, but that was no longer sufficient for the North with its "great majority" in Congress. So with the Mexican Cession land came another violation of the Constitution, denying access by Southerners from the "common territories unless they divested themselves of their slave property."

But when we acquired California and New Mexico, the South, still willing to abide by the principle of division, again attempted to divide by the same line, it was almost unanimously resisted by the Northern States; their representatives by a great majority, insisted upon absolute prohibition and the total exclusion of the people of the Southern States from the whole of the common territories unless they divested themselves of their slave property.

He says that all the South seeks and deserves is equal treatment under the law.

We simply propose that the common territories be left open to the common enjoyment of all the people of the United States, that they shall be protected in their persons and property by the Federal Government until its authority is superseded by a State Constitution, and then we propose that the character of the domestic institutions of the new State be determined by the freemen thereof. This is justice---this is constitutional equality.

And to that end, he praises the 1854 Kansas-Nebraska for righting the 36'30" wrong and "restoring justice to the country.

The law of 1854 (commonly known as the Kansas-Nebraska act)...righted an ancient wrong, and will restore harmony because it restores justice to the country. This legislation I have endeavored to show is just, fair, and equal; that it is sustained by principle, by authority, and by the practice of our fathers. I trust, I believe, that when the transient passions of the day shall have subsided, and reason shall have resumed her dominion, it will be approved, even applauded, by the collective body of the people, in every portion of our widely extended Republic.

In this part of his Tremont Temple address, Toombs makes the strongest case possible for the "States Rights" defense on slavery. It harkens back to the 1787 Convention and the adoption of the Tenth Amendment. It says that according to the enumerated powers assigned the Federal Government in the

Constitution, Congress has no legal authority to deny Southerners the right to bring their slave property into the common territories of the west. Period.

But, having made that much clear, the Georgian continues in Boston to stand aside from the Southern “Fire-Eaters” – men like Robert Rhett, William Yancey, James Hammond, David Atchison and others – who would sacrifice the Union in order to expand slavery. Instead, if the settlers in each new state are allowed to vote on the issue in accordance with the Kansas-Nebraska rules, then Toombs says he is willing to live with the results.

At this point, he shifts to the second part of his lecture – the defense of slavery itself.

Date: January 24, 1856

Blacks Are Much Better Off As Slaves In The South Than Freedmen In The North

The second half of Toombs’s address involves a lengthy discussion of “the effect of Southern slavery on the Slaves and on Society.” His thoughts follow those laid out in the 1852 compendium *The Pro-Slavery Argument*, based on articles and lectures from Professor Thomas Roderick Dew, jurist William Harper, novelist Dr. George Gilmore Sims and “fire-eater” James Henry Hammond.

Although, unlike the others, Toombs refrains from implying that the Bible itself sanctions the practice. Instead he begins by asserting that the enslavement of blacks has been in place since time immemorial.

The monuments of the ancient Egyptians carry (the slave) back to the morning of time---older than the pyramids---they furnish the evidence, both of his national identity and his social degradation before history began. We first behold him a slave in foreign lands; we then find the great body of his race slaves in their native land; and after thirty centuries, illuminated by both ancient and modern civilization, have passed over him, we still find him a slave of savage masters, as incapable as himself of even attempting a single step in civilization.

In America, it was the British who established slavery and wove it into the colonial society, especially in the South.

I have already stated that African slavery existed in all of the colonies at the commencement of the American Revolution. The paramount authority of the Crown, with or without the consent of the colonies, had introduced it, and it was inextricably interwoven with the frame-work of society, especially in the Southern States.

The institution was then legally ordained, according to Toombs, because it was obvious that “the African race...is incapable as freemen of securing their own happiness or promoting the public prosperity.”

The slaveholding States, acting upon these principles, finding the African race among them in slavery, unfit to be trusted with political power, incapable as freemen of securing their own happiness, or promoting the public prosperity, recognized their condition as slaves, and subjected it to legal control.... They sought that system of government which would secure the greatest and most enduring happiness to the whole society.

Here is the crux of the rationalization of slavery that flows from Jefferson to Toombs's South in the 1850's – and also resonates among the vast majority of Northerners. It is that blacks are an inferior species – 3/5th of a full man by law -- incapable of even caring for themselves, much less contributing to society. Not because they were violently yanked from their native culture and sold like livestock, witnessed their families being torn apart, were underfed and left uneducated, often suffered physical and sexual abuse, were worked to exhaustion by overseers and insured daily of their inferiority. No, the outcome is not about this circumstance, rather about their intrinsic “nature.”

Proof of the Africans inherent inferiority, Toombs says, lies in the lack of progress they have demonstrated when set free. He cites two examples from abroad to demonstrate that they are incapable of creating a viable society, first the sixty year old black revolution in Haiti, and then the results of the 1838 emancipation in Jamaica.

Their condition in Hayti has now been tested for sixty years, and the results are before the world.... Revolutions, tumults, and disorders have been the ordinary pastime of the emancipated blacks; industry has almost ceased, and their stock of civilization acquired in slavery has been already nearly exhausted, and they are now scarcely distinguished from the tribes from which they were torn in their native land....More recently the same experiment has been tried in Jamaica, under the auspices of England. This was one of the most beautiful, productive, and prosperous of the British colonial possessions. In 1838, England, following the false theories of her own abolitionists, proclaimed total emancipation of the black race in Jamaica.

The outcome, he argues, is the same in America, where one is able to “study the African race” living as freedmen versus slaves. According to the abolitionists, the free blacks of the North should be far advanced from the slaves of the South. And yet their plight up North is one of abject despair.

In the United States too we have peculiar opportunities of studying the African race under different conditions. Upon the theory of the anti-slavery men, the most favorable condition in which you can view the African ought to be in the non-slaveholding States of this Union. There we ought to expect to find him displaying all the capabilities of his race for improvement and progress...(where) he has had seventy years in which to cleanse himself and his race from the leprosy of slavery. Yet what is his condition here today? He is free; he is lord of himself; but he finds it is truly a “heritage of woe.”

After this seventy years of education and probation...his inferiority stands as fully a confessed fact in the non-slaveholding as in the slaveholding States. By them he is adjudged unfit to enjoy the rights and perform the duties of citizenship---denied social equality by an irreversible law of nature, and political rights, by municipal law, incapable of maintaining the unequal struggle with the superior race; the melancholy history of his career of freedom is here most usually found in the records of criminal courts, jails, poor-houses, and penitentiaries... the negro, true to the instincts of his nature, buries himself in filth, and sloth, and crime.

These facts have had themselves recognized in the most decisive manners throughout the Northern States. No town, or city, or State, encourages their immigration; many of them discourage it by legislation; some of the non-slaveholding States have prohibited their entry into their borders by any circumstances whatever. Thus, it seems, this great fact of “inferiority” of the race is equally admitted everywhere in our country...The Northern States admit it, and to rid themselves of the burden, inflict the most cruel injuries upon an unhappy race; they expel them from their borders and drive them out of their boundaries, as wanderers and outcasts.

Toombs then makes the familiar argument that the Africans are better off as slaves in the South than freedmen in the North.

The Southern States, acting upon the same admitted facts, treat them differently. They keep them in the same subordinate position in which they found them, protect them against themselves, and compel them to contribute to their own and the public welfare; and under this system, we appeal to facts, open to all men, to prove that the African race has attained a higher degree of comfort and happiness than his race has ever before attained in any other age or country.

Our political system gives the slave great and valuable rights. His life is equally protected with that of his master: his person is secure from assault against all others except his master, and his master's power in this respect is placed under salutary and legal restraints. He is entitled, by law, to a home, to ample food and clothing, and exempted from "excessive" labor; and, when no longer capable of labor, in old age and disease, he is a legal charge upon his master. His family, old and young, whether capable of labor or not, from the cradle to the grave, have the same legal rights; and in these legal provisions, they enjoy as large a proportion of the products of their labor as any class of unskilled hired laborers in the world.

He claims that his conclusions are based on "public statistics," citing many examples. At the same time, he identifies criticisms levelled at the institution – dismissing some, but also displaying rare objectivity about the need to correct others. His intent throughout this section seems to be to convince his audience that any broad brush condemnation of slavery is simply inaccurate.

Our slaves are larger consumers of animal food than any population in Europe, and...their natural increase (birth rates) is equal to that of any other people; these are true and undisputable tests that their physical comforts are amply secured.

In the division of the earnings of labor between it and capital, the southern slave has a marked advantage over the English laborer, and is often equal to the free laborer of the North.

It is objected that religious instruction is denied the slave...(but) a much larger number of the race in slavery enjoy the consolation of religion...and conversion to Christianity (than) all the millions of their countrymen who remained in their native land.

The immoralities of the slaves...are lamentably great; but it remains to be shown that they are greater than with the laboring poor of England, or any other country.

It is objected that our slaves are debarred the benefit of education...(a point) well taken...Formerly in none of the slaveholding States, was it forbidden to teach slaves to read and write, but the character of the literature sought to be furnished them by the abolitionists caused these States... to lay the ax at the root of the evil; better counsels will in time prevail, and this will be remedied.

The want of legal protection to the marriage relation is also a fruitful source of agitation among the opponents of slavery...and is not without foundation. But, in truth and fact, marriage does exist in a very great extent among slaves, and is encouraged and protected by their owners.... To protect...domestic ties by laws forbidding...the separation of families, would be wise, proper, and humane, and some of the slaveholding States have already adopted partial legislation (to) remove those evils. But the injustice and despotism of England towards Ireland has produced more separation of Irish families, and sundered more domestic ties within the last ten years than African slavery has effected since its introduction into the United States.

Overall then, Toombs is convinced that the institution of slavery is proven to be a “positive good” for the blacks themselves. The question of why, if this is so, the slaves express such misery and attempt to run away, is left unasked and unanswered.

I submit that the proposition is fully proven, that the position in slavery among us is superior to any which he has ever attained in any age or country. The picture is not without shade as well as light; evils and imperfections cling to man and all of his works, and this is not exempt from them. The condition of the slave offers good opportunity for abuse, and these opportunities are frequently used to violate humanity and justice. But... the general happiness, cheerfulness, and contentment of slaves, attest both the mildness and humanity of the system and their natural adaptation to their condition.

Toombs’s speech now turns to the slave’s impact on American society as a whole?

Date: January 24, 1856

With Its Slavery The Southern States Lead The World In Prosperity

Toombs’s begins here by disputing the assertions that slave labor is unproductive, and that the institution has undermined the economic well-being of the Southern states.

The next aspect in which I propose to examine this question is, its effects upon the material interests of the slaveholding States. Thirty years ago slavery was assailed mainly on the ground that it was a dear, wasteful, unprofitable labor, and we were urged to emancipate the blacks, in order to make them more useful and productive members of society.

An inquiry into the wealth and production of the slaveholding States of this Union demonstrates that slave labor can be economically and profitably employed.

As proof of the productivity of slave labor, he cites the fact that Southern goods account for 3/4th of all exports created by the entire U.S. economy. This despite a white population that is less than one-half that of the North.

The slaveholding States with one half the white population and between three and four millions of slaves, furnish above three fourths of the annual exports of the Republic counting twenty-three millions of people; and their entire products, including every branch of industry, greatly exceed per capita those of the more populous Northern States.

The skilled application of capital and slave labor in the South yields the highest levels of productivity, while insuring optimal returns for investors and much greater care for workers than seen among the North’s sweatshops.

The opponents of slavery, passing by the question of material interests, insist that its effects on the society where it exists is to demoralize and enervate it, and render it incapable of advancement and a high civilization and upon the citizen to debase him morally and intellectually. Such is not the lesson taught by history...nor the experience of the past or present.

No stronger evidence of what progress society may make with domestic slavery can be desired, than that which the present condition of the slaveholding States presents....Labor, united with capital, directed by skill, forecast and intelligence...is capable of its highest production, is freed from all these evils, leaves a margin, both for the increased comforts to the laborer, and additional profits to capital.

Furthermore, the South has achieved these results based on its own ingenuity and efforts, without any significant aid from the Federal Government.

None of this great improvement and progress have been even aided by the Federal Government; we have neither sought from it protection from our private pursuits, nor appropriations for our public improvements. They have been effected by the unaided individual efforts of an enlightened, moral, energetic, and religious people. Such is our social system, such is our condition under it. Its political wisdom is vindicated on its effect upon society; the morality by the practices of the patriarchs and the teachings of the apostles; we submit it to the judgment of mankind, with the firm conviction that the adoption of no other system under our circumstances would have exhibited the individual man, bond or free, in a higher development, or society in a higher civilization.

Rather than criticizing the South, the North should recognize and applaud the society it has built and the positive role slavery has played to the benefit of all.

In surveying the whole civilized world, the eye rests not on a single spot where all classes of society are so well content with their social system, or have greater reason to be so, than in the slaveholding States of this Union. Stability, progress, order, peace, content, prosperity, reign throughout our borders.

Date: January 24, 1856

Toombs Stands As A Weathervane For Southern Moderates

Within four years of his Boston address, Robert Toombs will have lost faith in finding a compromise with those opposing the expansion of slavery. He will eventually resign his seat in the Senate, join the Confederacy as its first Secretary of State, and then serve in combat during the war as a Brigadier General, suffering a wound at the battle of Antietam.

But on January 24, 1856 he “explains” the Southern case regarding slavery to his Northern audience as he sees it and in crystal clear fashion.

Unlike the Fire-Eaters, he also remains willing to allow the Democrats policy of “pop sov” to decide future outcomes on a state by state basis.

As such, Toombs stands in Boston as a weathervane for those Southerners who still cling to hope about saving the Union.

Chapter 227 – The Republican Hold Their Formal “Organizing Meeting” In Pittsburgh



Dates:
February 22-23, 1856

Sections:
• Two-Day Event at Lafayette Hall

Date: February 22-23, 1856

Two-Day Event at Lafayette Hall



Edwin D. Morgan (1811-1883)

With the clock now ticking toward the 1856 elections, those dedicated to launching the Republican Party gather in Pittsburgh to put together their national organization and lay the groundwork for their first formal nominating convention to be held in the summer.

The same men who met at Francis Preston Blair Sr.’s house back in December oversee this two day event held at the Lafayette Hall, which bulges with some 800 attendees, half “delegates” and half spectators. They travel through wintry weather from every Free State in the nation, eight Slave States, and the territories of Kansas, Nebraska and Minnesota.

The New York contingent includes Preston King, from the prior Blair dinner, together with Edwin D. Morgan and Horace Greeley, both conduits to the crucial Thurlow Weed – Henry Seward camp. Ohio is represented by the abolitionists, Joshua Giddings and James Ashley, along with Jacob Brinkerhoff, co-author of the Wilmot Proviso.

Other notables include Wilmot himself from Pennsylvania, Owen Lovejoy (Illinois), Oliver Morton (Indiana) and Zachariah Chandler (Michigan).

Then, to the surprise of almost all, there is Francis Blair Sr., the very symbol of a disillusioned Democrat, who is quickly chosen to preside over the meeting and provide his thoughts on the need for a new party, which he does.

The opening gavel sounds at 11am on February 22, chosen to honor Washington’s birthday, and in hopes of influencing events at the Know Nothing convention starting the same day in Philadelphia.

With guidance from Greeley, “caution” becomes the watchword of the speeches and platform work from start to finish – a necessity, he argues, if “fusion” is to take hold across those who arrive as Republicans or Know-Nothings or disgruntled Democrats. The result is a fairly tame charter calling for repeal of the Kansas-Nebraska Act, immediate admission of Kansas as a Free State and a pledge to “resist, by every Constitutional means, the existence of slavery in in any of the territories of the United States.” It takes no stand whatsoever on the role of “nativism.”

Not everyone is happy with this outcome.

Abolitionists like Gamaliel Bailey bemoan what they regard as a tempering on the issue of slavery. Instead of a strong positive call to expel it, the platform just passively reiterates opposition to the Kansas-Nebraska Bill. Lewis Tappan sees similar danger for the cause, in his case because of the mere presence of Francis Blair Sr.:

Think of an anti-slavery Convention being presided over by a slave-holder.

James Watson Webb -- editor of *The New York Courier & Inquirer* and underhanded purveyor of a story that Tappan has married a black woman – feels that the Republicans have gone too far on slavery:

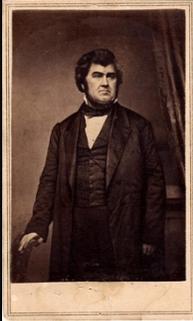
They commit me to Abolitionism. I am opposed to the extension of slavery, but am not in favor of abolishing it.

Regardless of these reservations, the “meeting” achieves its stated objectives. Agreement is reached to hold the first official Republican Convention in Philadelphia on June 17-19, 1856. A national committee is identified, with soon to be Governor of New York, Edwin D. Morgan, as the first chairman. State networks are defined, along with plans to set them in motion.

The temptation to nominate presidential candidates is also avoided, despite pressure from supporters of Chase – and indeed none of the likely frontrunners attend in person.

Finally, efforts continue to find ways to divide the Know Nothing Convention, now in progress, along sectional lines over the issue of slavery. These are led by Chase’s Ohio representatives, and they prove successful.

Chapter 228 – A North-South Schism Marginalizes The Know Nothing Party



Dates:
February 22-25,
1856

Sections:

- Eight Northern States Leave The Convention After An Ohio Plank On Slavery Is Rejected
- The Depleted Know-Nothings Select Millard Fillmore As Their Nominee
- Abraham Lincoln's Views On The Know Nothings

Date: February 22-25, 1856

Eight Northern States Leave The Convention After An Ohio Plank On Slavery Is Rejected

While the Republicans are together for the first time in Pittsburgh, some 227 Native American (Know Nothing) Party delegates attend the first, and what will prove to be their only, national convention, over in Philadelphia.

By the time they meet, their anti-immigrant, anti-Catholic message is no longer confined to secret lodge meetings, but is out there in the public eye vying for converts and increased political power

But the prospect for any such surge collapses almost immediately when an opening day schism materializes between Northern and Southern delegates.

The roots of this schism trace to the 1855 race for Governor of Ohio. It pits Allen Trimble, a 72 year old legend in Ohio politics who decides to run as a Know Nothing, against Salmon P. Chase, a co-founder of the Free Soil Party, which opposes all further expansion of slavery.

When Chase whips Trimble by a 6:1 margin, a leader of the Ohio Know-Nothings named Thomas Spooner concludes that the majority of Northerners actually feel more threatened by the Africans than by the Catholic immigrants – an insight consistent with the state's long history of race riots and opposition to runaway slaves from Kentucky.

Spooner's response is to try to drive his Native American Party in Ohio toward a coalition with the emerging Republican Party, which has already declared its opposition to slavery in the west. He is urged on in this direction by Chase himself, who already sees the Republican Party as his path to running for the presidency.

Purists among the Know Nothings oppose this blurring of the party's original intent to focus on the immigrants. The Cincinnati *Dollar Times* calls this:

An attempt to fasten anti-slavery as an issue on to the American Party.

The *Ohio Eagle* regards it as a sell-out to the Abolitionists:

The great American Party sold body, boots and britches to the nigger-stealing Abolitionists.

Despite this resistance the Ohio delegates show up at the national convention on February 22 demanding that the presidential nominee repeal the 1854 Kansas-Nebraska Act and end the possibility of slavery taking root above the old 36°30' Missouri Compromise line.

The vote on the proposed Ohio plank becomes a litmus test for those in the American Party. All stand together in opposition to the Catholic immigrants, but how many are willing to also oppose the spread of those “other foreigners,” the Africans?

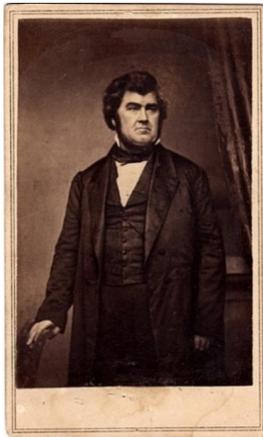
When the ballots are counted, the Ohio slavery proposal goes down to defeat – followed by a motion offered up to oust the State’s original representatives from the hall.

This outcome so angers roughly fifty Northern delegates, from New England through Pennsylvania, Ohio, Illinois and Iowa, that they decide to walk out in protest.

With them goes any possibility for continued unity within the American Party.

Date: February 22-25, 1856

The Depleted Know-Nothings Select Millard Fillmore As Their Nominee



George Law (1806-1881)

Those delegates who remain in Philadelphia are left with the challenges of finalizing a national platform and choosing a presidential ticket.

Given their skew now toward the Southern states, all issues related to slavery are swept aside.

Instead the party circles back to its central theme – “Americans must rule America.”

The platform itself consists largely of philosophical slogans, aimed at defending the “True Americans” -- native born Protestants -- from threats posed by the Catholic immigrants. The litany includes:

- *Our Country, our whole Country, and nothing but our Country.
American Constitutions & American sentiments
The doctrines of the revered Washington
American Laws, and American legislation*
- *None but Americans for office.*
- *A pure American Common School system.*

Opposition to the formation of Military Companies, composed of Foreigners

- *The amplest protection to Protestant Interests.
The advocacy of a sound, healthy and safe Nationality
Formation of societies to protect American interests*
- *War to the hilt, on political Romanism.
Hostility to all Papal influences, when brought to bear against the Republic
Eternal enmity to all those who attempt to carry out the principles of a foreign Church or State
Death to all foreign influences, whether in high places or low!*
- *More stringent & effective Emigration Laws.
The sending back of all foreign paupers
Repeal of all Naturalization Laws*

After passing the platform, attention returns to choosing a ticket for 1856. The walk-out by the eight Northern delegations seems to call for a presidential candidate who will be credible above the Mason-Dixon line, while also remaining sympathetic to Southern interests.

The choice comes down to a battle within the New York delegation, which remains in the hall when other Northern states have bolted. On one side are those who support ex-President Millard Fillmore, despite his very thin history of nativist pronouncements. On the other are backers of Fillmore's bitter enemy, George Law, a bearish figure whose great wealth derives from his construction, steamship and railroad companies. Law is also endorsed early on by James Gordon Bennett, editor of the *New York Daily Herald*, and vocal critic of the Pierce administration.

Any uncertainty about the convention's choice is resolved on the first ballot, with Fillmore enjoying a commanding lead. On the second he goes over the top and becomes the party nominee.

Election Of Know-Nothing Presidential Nominee (1856)

Candidates	Home State	1st Ballot	2nd Ballot
Millard Fillmore	New York	139	179
George Law	New York	27	35
Garrett Davis	Kentucky	18	8
Kenneth Rayner	N. Carolina	14	2
John McLean	Ohio	13	1
Others		23	9
Total		234	234
Needed (2/3rds)		157	157

Fillmore is fifty-six years old when nominated. He begins his political career as an Anti-Mason before becoming a Whig in 1832. He ascends to the White House when Taylor dies, and is regarded as a "doughface" for his support of the Fugitive Slave Act. He loses the Whig nomination to Winfield Scott in 1852 and then returns to Buffalo in apparent retirement. His only substantive linkage to the Know Nothing cause in 1856 is an observation about the "corrupting influence" of foreigners in American elections.

Fillmore is joined on the ticket by Andrew Jackson Donelson, adopted son of the former President, and a leading figure in Tennessee politics.

Meanwhile a disgruntled George Law is approached by Republicans, eager to win all wavering Know Nothings, Whigs and Democrats into their orbit.

Sidebar: Abraham Lincoln's Views On The Know Nothings

Abraham Lincoln is one of many Whig Party politicians searching for a new affiliation during the 1850's. But one thing he knows for sure by 1854 is that he is "not a Know-Nothing:"

I think I am a whig; but others say there are no whigs, and that I am an abolitionist. When I was in Washington I voted for the Wilmot Proviso as good as forty times, and I never heard of any one attempting to unwhig me for that. I now do no more than oppose the extension of slavery.

I am not a Know-Nothing. That is certain. How could I be? How can any one who abhors the oppression of negroes, be in favor of degrading classes of white people?

Our progress in degeneracy appears to me to be pretty rapid. As a nation, we began by declaring that "all men are created equal." We now practically read it "all men are created equal, except negroes"

When the Know-Nothings get control, it will read "all men are created equal, except negroes, and foreigners, and Catholics." When it comes to this I should prefer emigrating to some country where they make no pretence of loving liberty -- to Russia, for instance, where despotism can be taken pure, and without the base alloy of hypocrasy [sic].

Chapter 229– Pierce Delivers His Message On “The Disturbances In Kansas”



Dates:
January 24, 1856

Sections:

- The Kansas Crisis Continues To Play Out
- President Pierce Assails The Topeka Constitution And Calls For A New Convention

Date: May 1854 – January 1856

The Kansas Crisis Continues To Play Out

As the 1856 year begins, Franklin Pierce sees that the chance to be re-nominated at the Democrat’s June convention is being threatened by his inability to solve the crisis in Kansas.

Like Stephen Douglas, Pierce has gambled his political future on the success of the May 1854 Kansas-Nebraska Act to avoid a North-South schism over slavery.

The result in Kansas, however, has been chaos, with the theory of orderly “popular sovereignty” elections collapsing in practice.

First there are the Pro-Slavery Missourians, led by ex-Democratic Senator David Atchison, crossing the Kansas border, casting fraudulent votes, and setting up a “bogus legislature” to pass their own laws. Then the response from the Free Staters, passing their Topeka Constitution and electing their own legislature and state officials. Both sides are now well armed for open conflict and the “Wakarusa War” signals the likely violence to come.

Pierce’s choices for Territorial Governor have only exacerbated the problems. Andrew Reeder arrives with pro-slavery leanings and a cloud over his head for land speculation in Kansas. When he refuses to accept the results of the two stolen elections, Pierce fires him, after which he switches sides to become a noted Free State political figure. His successor, Wilson Shannon, another pro-slavery proponent is overmatched and will also gone in less than a year.

Additional alarms for the President include the Democrat’s loss of 75 seats in the House, the selection of a Know-Nothing Speaker in Nathaniel Banks, and the early signs of a new Republican Party apparently dedicated to opposing “popular sovereignty” with an outright ban on the expansion of slavery.

These events finally force Pierce to take a public stand on Kansas. He does so on January 24, 1856 in a lengthy message to Congress.

The Tangled Events Playing Out In The Kansas Territory: 1854-56

Months	1854	1855	1856
January			Another election leaves Kansas with two competing governments
February			
March		Pro-slavery “Bogus Legislature” chosen in 2 nd fraudulent election	
April			
May	Anti-slavery emigres arrive from New England	Free State settlers at Lawrence begin to consider resistance	
June			
July	Platte County Self-Defense Group founded by Atchison	“Bogus legislature” passes pro-Slavery laws; Reeder criticizes their bills	
August		Pierce sacks Reeder and Free State Party founded	
September		Governor Shannon takes office	
October	First Governor Andrew Reeder arrives	Free State Party drafts their “Topeka Constitution”	
November	Border Ruffians steal first state election for Congress	Ruffians and Free Staters clash in “Wakarusa War”	
December		Topeka Constitution and Black Exclusion approved at polls	

Date: January 24, 1856

President Pierce Assails The Topeka Constitution And Calls For A New Convention



The White House

Pierce’s message comes only nine days after Kansans have elected a second set of state officials who would serve under the Topeka Constitution.

His response comes in the form of a lengthy message to Congress about what he calls the “Disturbances In Kansas.” It begins by acknowledging that the current situation must change to avoid “grave exigencies:”

Circumstances have occurred to disturb the course of governmental organization in the Territory of Kansas and...urgently to recommend the adoption by you of such measures of legislation as the grave exigencies of the case appear to require.

Plans to organize the territory were agreed to way back on May 30, 1854, but progress was delayed by two factors: “maladministration” and “unjustifiable interference” in the process.

The organization of Kansas was long delayed, and has been attended with serious difficulties and embarrassments, partly the consequence of local maladministration and partly of the unjustifiable interference of the inhabitants of some of the States, foreign by residence, interests, and rights to the Territory.

Here he blames Governor Reeder for failure to “exercise constant vigilance” and for “violating the law” himself by his land speculation activities.

The governor, instead of exercising constant vigilance and putting forth all his energies to prevent or counteract the tendencies to illegality...allowed his attention to be diverted from official obligations by other objects, and himself set an example of the violation of law...which rendered it my duty in the sequel to remove him from the office of chief executive magistrate of the Territory.

The “interference,” he says, traced to “pernicious agitation” by “excited individuals” in the east attempting to impose their “social theories” related to slavery. This “awakened emotions” in Missouri which, he admits, led to “illegal and reprehensible counter movements.”

This interference...was one of ...pernicious agitation on the subject of the condition of the colored persons held to service in some of the States...(by) excited individuals...in the attempt to propagate their social theories... (and) to prevent the free and natural action of its inhabitants in (Kansas’s) internal organization...Those designs and acts had the necessary consequence to awaken emotions of intense indignation in States near to the Territory of Kansas, and especially in the adjoining State of Missouri, whose domestic peace was thus the most directly endangered; but they are far from justifying the illegal and reprehensible counter movements which ensued.

But the elections went ahead anyway, and, while flawed, the Governor officially certified the results, making them “completely legal.”

Under these inauspicious circumstances the primary elections for members of the legislative assembly were held... But the governor, in the exercise of the power and the discharge of the duty conferred and imposed by law on him alone, officially received and considered the returns, declared a large majority of the members of the council and the house of representatives "duly elected"...and thus...complete legality was given to the first legislative assembly of the Territory... Whatever irregularities may have occurred in the elections, it seems too late now to raise that question.... For all present purposes the legislative body (at Pawnee) thus constituted...the legitimate legislative assembly of the Territory.

At this point, according to Pierce, it was “too late” for opponents to write their own Topeka Constitution, elect their government, and request admission to the Union. These were all “revolutionary acts” and have no legal legitimacy.

Persons confessedly not constituting...all the inhabitants...and without law, have undertaken to summon a convention for the purpose of transforming the Territory into a State, and have framed a constitution, adopted it, and under it elected a governor and other officers and a Representative to Congress... The inflammatory agitation, of which the present is but a part, has for twenty years produced nothing save unmitigated evil, North and South....Our system affords no justification of revolutionary acts...(and) it is the duty of the people of Kansas to discountenance every act or purpose of resistance to its laws.

The existence of a separate government in Kansas is an “embarrassment,” and Pierce vows to use whatever means are necessary to put it down, hopefully “without the effusion of blood.”

It will be my imperative duty to exert the whole power of the Federal Executive to support public order in the Territory; to vindicate its laws, whether Federal or local, against all attempts of organized resistance, and so to protect its people in the establishment of their own institutions, undisturbed by encroachment from without, and in the full enjoyment of the rights of self-government assured to them by the Constitution and the organic act of Congress.

Current Governor Shannon has the authority to resolve the matter, using force if need be.

The Constitution requiring him to take care that the laws of the United States be faithfully executed, if they be opposed in the Territory of Kansas he may, and should, place at the disposal of the marshal any public force of the United States which happens to be within the jurisdiction, to be used as a portion of the posse committatus ; and if that do not suffice to maintain order, then he may call forth the militia of one or more States for that object, or employ for the same object any part of the land or naval force of the United States.

Pierce ends his message trying to walk a fine line between the Southern and Northern wings of his party. Those who favor slavery in Kansas are heartened by his outright dismissal of the Topeka Constitution; those who oppose it, hear a call for a new convention to start over, rather than acceptance of the fraudulent Pawnee legislature.

This, it seems to me, can best be accomplished by providing that when the inhabitants of Kansas may desire it and shall be of sufficient number to constitute a State, a convention of delegates, duly elected by the qualified voters, shall assemble to frame a constitution, and thus to prepare through regular and lawful means for its admission into the Union as a State.

I respectfully recommend the enactment of a law to that effect.

Chapter 230–The Crisis In Kansas Is Debated By Douglas And Seward



Dates:
March – April 1856

- Sections:**
- The Senate “Committee On Territories” Issues Two Opposing Reports On Kansas
 - Senator Douglas Tries To Bully His Opponents Into Submission
 - Questions About The Free State Submission Arise
 - Henry Seward Likens Pierce To King George III For Opposing The Free Stater’s Topeka Constitution
 - Henry Seward And Stephen Douglas As Political Orators

Date: March 1856

The Senate “Committee On Territories” Issues Two Opposing Reports On Kansas



Despite Pierce’s January 24 speech, the Kansas Free-Staters send James Lane to DC to submit their application for statehood. He does so on March 4, 1856 and sets off a flurry of speeches in Congress, most notably in the Senate between the Democrat, Stephen Douglas, and Henry Seward, the former Whig now turned Republican.

Douglas still chairs the powerful Senate Committee on Territories, which, among others, includes two Mississippi “Fire-Eaters” – John Quitman and Albert Brown – along with Jacob Collamer of Vermont, an anti-slavery Republican.

On March 12, 1856, the Committee findings on Kansas are read into the record, with Douglas offering the majority opinion and Collamer speaking in dissent.

In his report, Douglas lectures his colleagues on the proper procedures for governing new territories and applying for statehood. He says that the trouble in Kansas began when the New England Emigrant Society decided to send settlers in to agitate for abolition. When resistance materialized, these same easterners shipped in

The Crisis In Kansas Continues Unabated

Sharps rifles and supported formation of a secret military arm, the “Kansas Legion.” Then came the illegal Topeka Constitution and Free State legislature leading to the present demands by James Lane for statehood. All of this because the rules for “popular sovereignty” were violated.

The solution Douglas offers is to leave the status quo Pro-Slavery governing body in place until such time as the population of Kansas hits a threshold level of 93,000 residents (to qualify for one seat in the House) and a new convention can be held to write a constitution and properly seek admission.

This “delay and start over” solution is music to Southern ears, since it would affirm Governor Shannon and the Pawnee legislature and allow slave owners to continue to establish themselves in the state. Abolitionist editor Horace Greeley sees the proposal as Douglas’s attempt to win the presidential nomination at the June Democratic convention:

*No man could have made his Report who did not mean to earn the gratitude of the Slave Power...
I shall consider Mr. Douglas henceforth an aspirant for the Cincinnati nomination....*

Collamer’s minority report which follows calls for dissolving the “bogus legislature” and immediately admitting Kansas under the Topeka Constitution. Praise for this option comes immediately from the growing number of anti-slavery senators, including Seward, Lyman Trumbull, Charles Sumner, Ben Wade, John Hale and Henry Wilson.

Meanwhile, most members of Congress remains appropriately baffled by the entire situation. Their response is to create a “Kansas Investigation Committee” to gather more objective facts on the matter, and recommend a solution. Three former Whig members of the House are chosen: John Sherman of Ohio, William Howard of Michigan and Mordecai Oliver of Missouri. They leave Washington for Kansas, arriving there on April 11, 1856.

Date: March 17-20, 1856

Senator Douglas Tries To Bully His Opponents Into Submission

Criticism from the opposition is nothing new for Douglas, and on March 17 he announces that he will bring his Kansas bill – following the proper procedures of popular sovereignty -- to the floor in three days. In turn, Henry Seward says he will counter will his own proposal.

The Senate chamber is packed on March 20 to hear what becomes a two and a half hour diatribe by the “Little Giant,” which spares none of his adversaries.

In placing blame for the “unfortunate difficulties” in Kansas, his wrath tilts toward the Free State zealots.

The Topeka Constitution itself is not only illegal and revolutionary, he intones, but also singular in its hypocrisy, in light of the “Black Exclusion” clause.

First these high-minded men outlaw slavery and then they forbid even free blacks from residing in the state. How he asks can one pose as “an especial friend of the negro” and simultaneously deny them the right to “enter, live, or breathe in the proposed State of Kansas?”

His views on “the negro” involve no such posturing:

We do not believe in the equality of the negro, socially or politically, with the white man... Our people (in Illinois) are a white people, our State is a white State, and we mean to preserve the race pure, without any mixture with the negro.

He charges Ex-Kansas Governor Reeder with multiple blunders, first in certifying two fraudulent elections, then in reversing course. He labels Lyman Trumbull, his fellow senator from Illinois, a “captive of the Black Republican camp” for supporting admission.

But, he also admits that the Border Ruffians from Missouri were at fault for manipulating the voting process and “trying to control the domestic institutions of the territory” to support slavery.

What must be done next according to Douglas is to start over in Kansas and execute the process of popular sovereignty under the actual Congressional guidelines. He ends his harangue by urging his colleagues to vote for his bill to that effect.

The burden now falls to those who support the Free State request for admission to reply.

Date: April 7, 1856

Questions About The Free State Submission Arise

Before the Free State Kansas bill can be voted on, Congressional procedures require that it be printed in the form of what is commonly known as a “memorial” on government presses.

On April 7, a motion from Senator Lewis Cass of Michigan to create the “memorial” is challenged by several Southern senators. They question the legitimacy of the document brought by the “Free State Senator,” James Henry Lane, on two grounds: the fact that all the signatures on the submission are clearly in one hand, and the presence of what appear to be after-the-fact insertions in his printed text.

Douglas supports the “printing,” but later will call the document a forgery and accuse Lane of altering it after its passage to suit his own purposes.

Lane is infuriated by the implication and challenges Douglas “for an explanation of (his) language...(to) remove all imputation upon the integrity of my action or motives in connection with that memorial.”

A duel between the two is averted only after Douglas claims “senatorial privilege” and Lane brands him a coward for doing so.

Date: April 9, 1856

Henry Seward Likens Pierce To King George III For Opposing The Free Stater’s Topeka Constitution

The spotlight now falls on Senator Henry Seward to make the case for the Free State Kansans.

Seward is fifty-five years old when he rises on April 9 to address his Senate colleagues about Kansas. He has been on the political scene since 1830, first entering the New York state legislature as an Anti-Mason. He is soon a Whig and serves two terms as Governor of New York, before moving on to the U.S. Senate in 1849.

Seward’s career is managed all along by the journalist and strategist, Thurlow Weed, and both are currently drawn to the possibility that he might head the Republican Party ticket in 1856. While he rejects

the nativist strain within the party, Seward is firmly opposed to slavery. His reputation here follows from the famous lines of his March 11, 1850 address in the upper chamber: “there is higher law than the Constitution” – handed down by “the Creator of the universe” – that “so great an evil” must not be allowed to take hold in the west.

Thus his present call for the acceptance of the Free State Topeka Constitution, and the immediate admission of Kansas, along with the attack he levels at Franklin Pierce and his Southern handlers.

Seward’s speech opens with the claim that the true citizens of Kansas are living under a “foreign tyranny” imposed by pro-slavery forces in Missouri.

Armed bands of invaders established a complete and effective foreign tyranny over the people of the Territory...

He accuses Pierce of being an “accessory” to this “usurpation.”

The President of the United States has been an accessory to these political transactions, with full complicity in regard to the purpose for which they were committed. He has adopted the usurpation, and made it his own, and he is now maintaining it with the military arm of the Republic. Thus Kansas ...now lies subjugated and prostrate at the foot of the President (who) is forcibly introducing and establishing Slavery there, in contempt and defiance of the organic law.

To support his illegal actions, the President has misconstrued the words of the Constitution to defend slavery, and has compounded the error by dismissing the 1820 Missouri Compromise -- and has now tried to silence the protest from the people of Kansas.

The President distorts the Constitution from its simple text, so as to make it expressly and directly defend, protect, and guaranty African Slavery...(and) to effect the abrogation of the prohibition of Slavery in Kansas, contained in the act of Congress of 1820. It thus appears that the President of the United States holds the people of Kansas prostrate and enslaved at his feet.

In a dramatic flourish, Seward announces that his duty is to speak for the silenced people of Kansas in calling for the impeachment of Franklin Pierce, for behaviors akin to those of King George III.

Speechless here, as they yet are, I give utterance to their united voices, and, holding in my hand the arraignment of George III, by the Congress of 1776, I impeach— in the words of that immortal text — the President of the United States.

He then lists a lengthy bill of particulars on behalf of the people of Kansas. These include:

*Refusing to pass laws for the accommodation of the people...
Suspending our own Legislature, and declaring an usurping Legislature...
Keeping among us, in times of peace, standing armies, to compel our submission to a foreign Legislature...
Protecting invaders from punishment for any murders which they shall commit on the inhabitants...
Abolishing the free system of American law in this Territory...*

The refusal to admit Kansas traces to the South’s efforts to try to impose its demands related to slavery on the rest of the nation. Despite its historical support from some compromised “Northern hands,” the effort has failed for over fifty years, and the time has come to give it up.

The Congress of the United States can refuse admission to Kansas only on the ground that it will not relinquish the hope of carrying African Slavery into that new Territory. If you are prepared to assume that ground, why not do it manfully and consistently, and establish Slavery there by a direct and explicit act of Congress?

The slave States practically governed the Union directly for fifty years. They govern it now, only indirectly, through the agency of Northern hands, temporarily enlisted in their support. You profess a desire to end this national debate about Slavery, which has become, for you, intolerable. Is it not time to relinquish that hope?

If the agitation over slavery persists, “the cloud of disunion” will follow, and it would be the Southern states that would prove disloyal.

The solemnity of the occasion draws over our heads that cloud of disunion, which always arises' whenever the subject of Slavery is agitated...The slave States...have been loyal hitherto, and I hope and trust they ever may remain so. But if disunion could ever come, it would come in the form of a secession of the slaveholding States.

The proper answer for Kansas lies in immediate admission under the Topeka Constitution, the only path consistent with the cause and values of the United States.

Let it never be forgotten, that the cause of the United States has always been (that) of Universal Freedom.

Seward’s call for the impeachment of Pierce stuns the Senate and the nation.

Sidebar: Henry Seward And Stephen Douglas As Political Orators

Various observers of the exchanges between Seward and Douglas are struck by their very different oratorical styles.

Both men are short in stature, although Seward is characterized as diminutive, even frail, while Douglas is barrel-chested and brimming with physicality.

Seward's demeanor on the floor is seen as quiet and contemplative, as if in speaking he were holding an internal debate with himself on whatever subject is at hand. None of this will do for his harshest critics, one of whom watches his April 9, 1856 address and writes as follows:

Seward is not a born orator. His general appearance is that of a student. Nothing in his person or aspect give you the impression of mental or physical power. His is a passionless intellect...He may be great in his closet, but his name will never be a rallying cry for the masses.

On the other hand, there is Douglas. None other than the famous author Harriet Beecher Stowe happens to catch the "Little Giant" during one of the Kansas sessions, and records her thoughts on his oratorical powers.

Every inch of him has its own alertness and motion...(he has) the two requisites of a debater, a melodious voice and a clear, sharply defined enunciation...his forte is his power of mystifying the point....instead of being like an arrow sent at a mark, (his words) resemble rather a bomb which hits nothing in particular, but bursts and sends red-hot nails in every direction...(he is) a leader infinite in resources, artful, adroit, and wholly unscrupulous.

Chapter 231 – The Nation Is Shocked By A Brutal Assault In The Senate On Charles Sumner



Dates:
May – June, 1856

- Sections:**
- Personal Profile Of Senator Charles Sumner Of Massachusetts
 - Charles Sumner Delivers His “Crime Against Kansas” Speech
 - Congressman Preston Brooks Canes Sumner On The Senate Floor
 - Reactions To Brooks’ Assault Differ Sharply In The North Versus The South
 - Conflict Over The Extent Of Sumner’s Injuries

Date: 1811-1856

Charles Sumner Infuriates Southerners In The Senate



Charles Sumner (1811-1874)

While most members of Congress are content to delay action until the report from the “Kansas Investigation Committee” becomes available in June 1856, one Senator is dead set on provoking his “Slave Power” colleagues, particularly Stephen Douglas and a housemates of his in D.C., Andrew Butler of South Carolina.

That Senator is Charles Sumner of Massachusetts, and he is fully primed in advance to lay into all who would allow slavery to spread to the west. In a note to his abolitionist colleague, Governor Salmon Chase of Ohio, he anticipates the upcoming moment:

I have the floor for next Monday on Kansas and I shall make the most thorough & complete speech of my life. My soul is rung by this outrage & I shall pour it forth.

“Pouring forth” in superior fashion on his moral certainties is a trait Sumner perfects early on in his life.

He is born in Boston on January 6, 1811, to parents who work their way from scarcity into the middle class. His father becomes a Harvard-educated lawyer, and a man well known in the city for his “causes.” These consistently push the everyday norms, calling for abolition, racial integration of schools and even inter-racial marriage.

Sumner is the oldest of nine children and, as such, is evidently expected to set the standard for moral rectitude for his siblings. Along with this comes an air of superiority that distances him from his schoolmates, and that persists throughout his life. He responds by retreating into scholarship, intent on winning admiration through the power of his mind, if not a winning personality.

He graduates from Harvard College in 1830 and from its law school in 1834. Two men appear to have a special impact on shaping Sumner's future. One is Associate Justice of the U.S. Supreme Court, Joseph Story, who teaches Sumner in the law school. The other is William Ellery Channing, who reinforces the Unitarian values he has learned while attending King's Chapel with his parents.

A three year tour of Europe opens Sumner's eyes to the broader world around him, draws him into literature and the arts, and leaves lasting impressions about the apparently easy assimilation of blacks in France. When he returns to the states in 1840, he is eager to begin his own career. It consists early on of a shaky law practice, lecturing at Harvard, and various editing endeavors. But Sumner is also gaining notice among Boston's cultural elite, including fellow lecturer and budding author, Henry Wadsworth Longfellow, Emerson, Hawthorne, and the abolitionists, poet James Russell Lowell and Wendell Phillips.

His future trajectory changes on July 4, 1845 in a lecture he delivers in Boston titled "The True Grandeur of Nations," which calls upon his audience to fulfill duties to current society consistent with those of the Founders.

Honor to the memory of our Fathers ! May the turf lie gently on their sacred graves ! Not in words only, but in deeds also, let us testify our reverence for their name. Let us imitate what in them was lofty, pure, and good ; let us from them learn to bear hardship and privation. Let us, who now reap in strength what they sowed in weakness, study to enhance the inheritance we have received. To do this, we must not fold our hands in slumber, nor abide content with the Past. To each generation is committed its peculiar task ; nor does the heart, which responds to the call of duty, find respite except in the world to come.

In this same speech, Sumner, a confirmed supporter of Henry Clay and the Whigs, criticizes the March 1845 Texas Annexation and warns against war with Mexico. Henceforth he is a public figure, a sought-after lecturer, and an agitator for reforming the Boston Prison System, making change to public schools proposed by his friend, Horace Mann, and totally abolishing slavery.

In 1846 when the Massachusetts' Whigs divide along "Cotton vs. Conscience" lines, Sumner's name is put forward to challenge his Harvard classmate and friend, Robert Winthrop, for a seat in congress, but he declines. He fears that even the anti-slavery politicians will fail to fight hard enough for the principle of Truth:

Loyalty to principle is higher than loyalty to party. The first is a heavenly sentiment, from God, the other is a device of this world. Far above any flickering battle-lantern of Party is the everlasting sun of Truth.

In 1848, Sumner helps Chase and others in founding the new Free Soil Party, an awkward coalition of those who wish to stop the expansion of slavery on moral grounds with those whose aims are self-serving on behalf of white settlers and white labor.

Although he has never run for public office, Sumner is chosen in 1850 by the Free Soilers to run for U.S. Senator against the Whig, Robert Winthrop. The state Senate gives him a needed majority of 23-14 on the first ballot, but the House takes 93 days and 26 ballots to finally go along with the choice. The opposition includes the "doughface," Caleb Cushing, who characterizes Sumner as...

A one-idea abolition agitator ...a death stab to the honor and welfare of the Commonwealth...and a disaster to the Union

Once in office, Sumner's sanctimonious lecturing and arrogant style become well known in congress, and are off-putting to many members across party lines. Abraham Lincoln's later capsulation seems to fit well:

I never had much to do with bishops where I live, but, do you know, Sumner is my idea of a bishop.

When he rises to address no one doubts his intentions to lay into the Slave Power and its accomplices for what he titles "The Crime In Kansas."

Date: May 19-20, 1856

Charles Sumner Delivers His "Crime Against Kansas" Speech

Sumner's May 19-20 address becomes famous not for the arguments he makes about Kansas, but rather for the fury of his personal attacks on fellow senators, and the retribution which follows.

The speech begins by calling upon President Pierce to redress the "crimes" to date in the territory.

MR. PRESIDENT:-- You are now called to redress a great transgression...the crimes against Kansas...where the very shrines of popular institutions, have been desecrated; where the ballot box, has been plundered; and where the cry "I am an American citizen" has been interposed in vain against outrage of every kind, even upon life itself.

This general indictment is followed, however, by a sustained ad hominin attack on the character of two senators present in the chamber, whom he calls out by name. They are Senators Andrew Butler of South Carolina and Stephen Douglas of Illinois, co-authors of the Kansas-Nebraska Act. Sumner mocks the pair as Don Quixote and Sancho Panza, two characters dedicated to defending the virtue of their beloved Princess Dulcinea in Cervantes' 17th century novel. In this case, Butler is cast as the Don, whose beloved is "the harlot, slavery," and who is surrounded by the "fanatics...who sell little children at the auction block."

But, before entering upon the argument, I must say something of a general character, particularly in response to what has fallen from senators who have raised themselves to eminence on this floor in championship of human wrongs. I mean the senator from South Carolina, Mr. BUTLER, and the senator from Illinois, Mr. DOUGLAS, who, though unlike as Don Quixote and Sancho Panza...have chosen a mistress to whom each has made his vows, and who, though ugly to others, is always lovely to them; though polluted in the sight of the world, is chaste in their sight - - I mean the harlot, slavery.

And if the slave States cannot enjoy what in mockery of the great fathers of the Republic, he misnames equality under the Constitution -- in other words, the full power in the national Territories to compel fellow men to unpaid toil, to separate husband and wife, and to sell little children at the auction block -- then, sir, the chivalric senator will conduct the State of South Carolina out of the Union! Heroic knight! A Second Moses come for a second exodus!

But not content with this poor menace, which we have been twice told was "measured," the senator, in the unrestrained chivalry of his nature, has undertaken to apply opprobrious words to those who differ from him on this floor. He calls them "sectional and fanatical."

For myself, I care little for names; but since the question has been raised here, I affirm that the Republican party of the Union is in no just sense sectional, but, more than any other party, national; and that it now goes forth to dislodge from the high places of the government the tyrannical sectionalism of which the senator from South Carolina is one of the maddest zealots. If the senator wishes to see fanatics, let him look around among his own associates; let him look at himself.

Then there is Douglas, “the squire of slavery,” a “madman” setting fire to the “temple of constitutional liberty.”

As the senator from South Carolina is the Don Quixote, the senator from Illinois, Mr. DOUGLAS, is the squire of slavery, its very Sancho Panza, ready to do all its humiliating offices. Standing on this floor, the senator issued his rescript, requiring submission to the usurped power of Kansas. He may convulse this country with civil feud. Like the ancient madman, he may set fire to this temple of constitutional liberty, but he cannot enforce obedience to that tyrannical usurpation.

The senator dreams that he can subdue the North. He disclaims the open threat, but his conduct still implies it. How little that senator knows himself, or the strength of the cause which he persecutes! He is but a mortal man; against him is an immortal principle. With finite power he wrestles with the infinite, and he must fall. Against him are stronger battalions than any marshaled by mortal man -- the inborn, ineradicable, invincible sentiments of the human heart; against him is nature in all her subtle forces; against him is God. Let him try to subdue these.

Sumner finally turns his guns on the root cause of the turmoil in Kansas -- the 1854 Kansas-Nebraska Act, a “swindle” perpetrated under the guise of the “popular sovereignty” doctrine.

After thirty- three years, this (1820) compromise -- in violation of every obligation of honor, compact, and good neighborhood -- itself a landmark of Freedom, was overturned, and the vast region now known as Kansas and Nebraska was opened to slavery, under the guise of popular sovereignty. Sir, the Nebraska bill was in every respect a swindle.

Here were smooth words -- to leave the people thereof perfectly free to form and regulate their domestic institutions in their own way --such as belong to a cunning tongue enlisted in a bad cause. By their effect, the congressional prohibition of slavery, which had always been regarded as a seven-fold shield, covering the whole Louisiana Territory north of 36 deg. 30', was now removed, while a principle was declared, which would render the supplementary prohibition of slavery in Minnesota, Oregon, and Washington, "inoperative and void," and thus open to slavery all these vast regions, now the rude cradles of mighty states.

Once the Kansas-Nebraska Act was in place, southern forces, joined by President Pierce, “by whose complicity the prohibition of slavery had been overthrown,” focused on making Kansas into a Slave State.

The bare- faced scheme was soon whispered that Kansas must be slave State. Secret societies were organized in Missouri ostensibly to protect her institutions; It was confidently anticipated, that, by the activity of these societies, and the interest of slaveholders everywhere, with the advantage derived from the neighborhood of Missouri, and the influence of the Territorial government, slavery might be introduced into Kansas, quietly but surely.

But the conspiracy was unexpectedly balked. The debate, which convulsed Congress, had stirred the whole country. The populous North, stung by a sharp sense of outrage, and inspired by a

noble cause, poured into the debatable land, and promised soon to establish a supremacy of numbers there, involving, of course, a just supremacy of freedom.

When anti-slavery northerners flocked in to turn the popular sovereignty tide, the southern cabal launched the “crime against Kansas,” led by Senator David Atchison of Missouri.

Then was conceived the consummation of the crime against Kansas. What could not be accomplished peaceably was to be accomplished forcibly. In the foreground all will recognise a familiar character, in himself a connecting link between the President and the border ruffian -- who sat in the seat where once sat John Adams and Thomas Jefferson, David R. Atchison.

The violence, for some time threatened, broke forth on the 29th November, 1854, at the first election of a delegate to Congress, when companies from Missouri, amounting to upwards of one thousand, crossed into Kansas, and, with force and arms, proceeded to vote for Mr. Whitfield, the candidate of slavery. The election of a member of Congress recurred on the 2d October, 1855, and the same foreigners came from Missouri, and once more forcibly exercised the electoral franchise in Kansas. Five times and more have these invaders entered Kansas in armed array, and thus five several times and more have they trampled upon the organic law of the Territory.

Here is complete admission of the Usurpation, by the Intelligencer, a leading paper of St. Louis, Missouri, made in the ensuing summer: “Atchison and Stringfellow, with their Missouri followers, overwhelmed the settlers in Kansas, browbeat and bullied them, and took the Government from their hands.” Sir, all this was done in the name of Popular Sovereignty.

Sumner’s rhetoric reaches a low point when his fury gets out of hand after being interrupted thirty-five times by Senator Butler -- who suffers from a recent stroke causing a slurring of his words. This prompts Sumner to mock him for his “incoherent phrases and loose expectoration of speech.”

With regret, I come again upon Mr. Butler, who overflowed with rage at the simple suggestion that Kansas had applied for admission as a State; and, with incoherent phrases discharged the loose expectoration of his speech, now upon her representative, and then upon her people.

And yet another, with all the prejudices of the senator from South Carolina, but without his generous impulses, who on account of his character and rancor deserves to be named. I mean the senator from Virginia, Mr. Mason, who, as author of the fugitive slave bill, has associated himself with a special act of humanity and tyranny.

After almost three hours, Sumner closes, again railing against The Slave Power and calling for the admission of Kansas as a free state.

Among these hostile senators, Kansas bravely stands forth. In calmly meeting and adopting a frame of Government, her people have with intuitive promptitude performed the duties of freemen; and when I consider the difficulties by which she was beset, I find dignity in her attitude.

In offering herself for admission into the Union as a FREE STATE, she presents a single issue for the people to decide.

And since the Slave Power now stakes on this issue all its ill-gotten supremacy, the People, while vindicating Kansas, will at the same time overthrow this Tyranny.

Many in the audience are dismayed by the obvious breach of parliamentary courtesy displayed by Sumner. Among them is Stephen Douglas, who is reported to have said during the talk “this damn fool Sumner is going to get himself shot by some other damn fool.”

Date: May 22, 1856:

Congressman Preston Brooks Canes Sumner On The Senate Floor



Preston Brooks (1819-1857)

Two days after Sumner’s speech, Douglas’s comments prove prophetic.

Many southerners are outraged by the remarks, among them thirty-six year old Preston Brooks of South Carolina, currently serving a second term in the U.S. House.

Brooks’ reputation as a hot-head is well established at the time. In November 1840 he engages in an ongoing quarrel with another Fire-Eater, Louis T. Wigfall. This begins with fisticuffs, extends to a gunfight which kills Thomas Bird, a friend of Brooks, and climaxes in a costly duel along the Savannah River. Wigfall takes a bullet in the thigh, while Brooks is shot in the hip, a wound which causes a life-long limp and a walking cane for support.

When Brooks learns of the attack on Andrew Butler, his second cousin, his immediate response is to challenge Charles Sumner to a duel -- but he is dissuaded by his South Carolina colleague, Congressman Laurence Keitt, who argues that only gentlemen fight duels, and Sumner is no gentleman.

So Preston settles on a public beating instead, to be administered with his walking stick, a stout gutta percha weapon crowned with a golden head.

On the afternoon of May 22, Brooks, Keitt and congressman Henry Edmundson enter a nearly empty Senate chamber and approach Sumner, who is sitting at his desk writing letters. Brooks informs him that his speech has libeled his kinsmen, Butler, and, as Sumner tries to rise, he begins to beat him violently with his cane.

I...gave him about 30 first rate stripes. Toward the last he bellowed like a calf. I wore my cane out completely, but saved the head which is gold.

At six foot four inches tall, the Senator finds his legs trapped under his desk, which is bolted to the floor. In a frenzy to escape, he rips the bolts out in rising, with his head bleeding profusely. With Brooks still flailing away, he finally reels convulsively up the aisle and into the arms of New York congressman Edward B. Morgan, who helps him to a chair, where he loses consciousness.

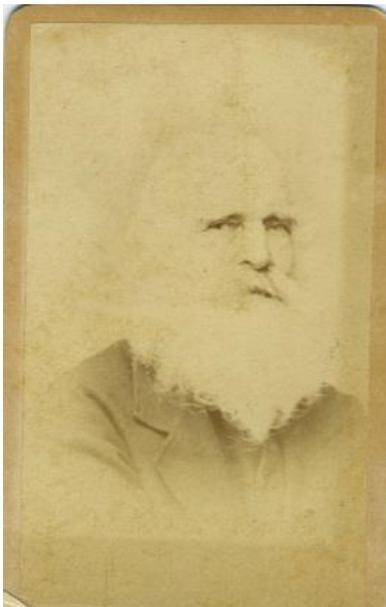
When the commotion draws others to the scene, Keitt brandishes a pistol to keep them from interfering.

Another New Yorker, Ambrose Murray, seizes Brooks’s arm, and Senator John J. Crittenden shouts out “don’t kill him.” Robert Toombs appears and restrains Keitt from striking Crittenden. Douglas becomes aware of the turmoil, but decides to stay out of the middle.

As Brooks is led away, Sumner is slumped in another senate chair with his feet protruding into the center aisle. He gradually comes around, and a page brings him a glass of water, before he is helped to an anteroom, where a doctor is called to put stitches into his wounds. His shirt collar is soaked in blood, as is his suit jacket. When the work is completed, Senator Henry Wilson helps him to a carriage and takes him home to bed.

Date: May – June 1856

Reactions To Brooks' Assault Differ Sharply In The North Versus The South



William Cullen Bryant (1794-1878)

Word of Brooks' assault becomes national news overnight, and the coverage reflects the growing antagonism between the North and the South.

William Cullen Bryant, the editor of the *New York Evening Post*, characterizes Sumner as another martyr to the Slave Power:

The South cannot tolerate free speech anywhere, and would stifle it in Washington with the bludgeon and the bowie-knife, as they are now trying to stifle it in Kansas by massacre, rapine, and murder. Are we too, slaves, slaves for life, a target for their brutal blows, when we do not comport ourselves to please them?

Ralph Waldo Emerson writes:

I do not see how a barbarous community and a civilized community can constitute one state. I think we must get rid of slavery, or we must get rid of freedom.

Hundreds of letters are sent to Sumner, some expressing sympathy for his martyrdom, others expressing intense anger toward the South and vowing revenge. Public protest meetings take place across the North, including some 5,000 people who show up on May 24 for a rally at Faneuil Hall.

Brooks on the other hand is hailed as a hero across the South, for "lashing the Senate's vulgar abolitionists into submission." Scores of citizens respond by sending him "replacement canes" to continue his good work.

Nevertheless, he is arrested for assault, then quickly released on \$500 bail.

When it appears that no other action will be taken, Senator Seward asks that a committee be assembled to study the incident. Six days after the attack, on May 28, 1856, a brief report is issued. It reflects the lukewarm personal feelings toward Sumner among many of his fellow senators, and brushes off the incident saying it was:

A breach of the privileges of the Senate...(but) can only be punished by the House of Representatives.

In the House a separate group is formed, taking testimony from twenty-seven witnesses, including Sumner himself. It reports its findings on June 2, 1856, which include a call for Brooks to be expelled and both Keitt and Edmundson to be censured.

After bitter debate and threats of more duels, a vote will finally be taken on the recommendations on July 14, 1856. While members vote to expel Brooks by a margin of 121 to 95, this falls short of the two-thirds majority needed to act. The regional split is alarming, as every Southern representative votes against the measure. Meanwhile, Keitt is censured for his involvement and Edmundson is acquitted.

Brooks responds by resigning from the House after paying a \$300 fine. His constituents, however, refuse to accept his act, and immediately vote him back into office. He returns to the House, before dying suddenly in January 1857 after a bout of the croup.

Sidebar: Conflict Over The Extent Of Sumner's Injuries

Subsequent to the caning attack, Charles Sumner will disappear from the Senate for well over three years, not returning to full-time duty until December, 1859.

The South pounces on his absence as a sign of his personal shame over the rhetoric in his speech, and of his moral cowardice for hiding from his critics. They claim that his wounds were exaggerated all along and that he intentionally blew them out of proportion to enhance his political standing in the North.

The truth seems to differ. Clearly Sumner is in terrible shape immediately after being assaulted. He has lost consciousness and the gashes to his head require stitches. He does appear to bounce back after the first few days, but then relapses, with his wounds emitting pus, a temperature over 100, a high pulse rate, and significant pain reported.

After two weeks his wounds are healing, but other symptoms appear. He has difficulty rising from a chair and needs a cane to steady his stride. Those who know him well say that his natural energy is depleted and that he is often prone for days on end. His secretary writes as follows:

At times he feels as though the blows were raining upon his head again; then will feel a numbness in the scalp; then again acute pains; then a sense of exhaustion that presents any physical or mental effort.

His doctor concludes:

From the time of the assault to the present, Mr. Sumner has not been in a situation to expose himself to mental or bodily excitement without the risk of losing his life.

After the passage of time, he is able to voyage to Europe in the Spring of 1857 and again in 1858, both trips drawing sneers from those who doubt the extent and duration of his injuries.

In the end, however, it seems apparent that the effects of the attack he suffered have had a lasting effect on his physical and psychic health. A modern prognosis would likely classify his long-term afflictions as post-traumatic stress syndrome.

Chapter 232– Pro-Slavery Forces Attack The Town Of Lawrence, Kansas



Dates:
May 21, 1856

Sections:
• Open Warfare Is Sparked By The Sack Of Lawrence

Date: May 21, 1856

Open Warfare Is Sparked By The Sack Of Lawrence



A Typical Frontier Town

Sandwiched between Sumner’s “Crimes In Kansas” speech and his savage caning by Preston Brooks lies another turning point in the saga of Bloody Kansas, this time in the Free State capital of Lawrence.

At the center of this incident is Samuel Jones, the Sheriff of Douglas County. Jones is a Virginian by birth who emigrates to Westport, Missouri in 1854 at thirty-five years of age to become postmaster. He is soon drawn into opening up Kansas as a Slave State, and joins the Border Ruffians in stealing the congressional seat election on March 30, 1855. Along with Samuel Lecompte – President Pierce’s choice as Chief Justice of the territory’s Supreme Court -- Jones co-founds the town of Lecompton, and opens an initially prosperous lumber and saw milling operation there.

In September 1855, he is appointed Sheriff of Douglas County by the Pro-Slavery legislature. His domain includes Lawrence, where he is christened the “bogus Sheriff” by townspeople, who repeatedly threaten him, as in this message signed by the “Secret Twelve:”

Sheriff Jones—You are notified that if you make one more arrest by the order of any magistrate appointed by the Kansas Bogus Legislature, that in so doing you will sign your own Death Warrant. Per order. SECRET TWELVE

In turn a Free State posse abducts his prisoner on the way to jail, provoking the Wakarusa War incident in November 1855. In April 1856 he is twice pummeled by mobs and then shot in the back while trying to make arrests in Lawrence.

On May 15, 1856, tension rises when Free State Governor Charles Robinson is jailed in response to warrants issued by Judge Lecompte. On May 21, Jones returns to Lawrence to make additional arrests, only this time he arrives on the scene with a force of 700 men, some Federal militia and others pro-slavery marauders itching for a battle. To signal their determination, they haul four cannon to the scene.

Confronted with this overwhelming firepower, the residents of Lawrence allow U.S. Deputy Marshal Fain to enter the town and carry out his duties peacefully. Having completed his assignment, the head of the Federal militia dismisses his men from duty – which leaves Sheriff Jones and the remaining pro-slavery gang in place.

This is their chance to wreak havoc on Lawrence and they take it. They sweep into town and turn their attention first to the offices of the two leading opposition newspapers, the *Herald of Freedom* and the *Kansas Free State*. Both are torn apart, with their presses and type dumped in the Kansas River.

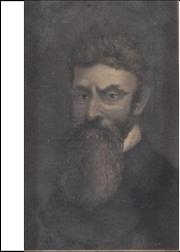
The Free State Hotel, headquarters of the resistance movement, is next, with the four cannon lined up facing the building and ex-U.S. Senator David Atchison directing the fire. When the structure walls survive, kegs of powder are piled inside and the building is burned to the ground.

General looting follows along with the destruction of the home of Charles and Sarah Robinson. Robinson himself is already in jail, having been arrested on May 10 and charged with treason for his role as the Free Stater’s chosen Governor of Kansas.

As the invaders depart, Sheriff Sam Jones is said to exclaim:

This is the happiest day of my life, I assure you.

Chapter 233– John Brown Takes Revenge In His Potawatomie Massacre



Dates:
May 24–25, 1856

Sections:

- Brown’s Frenzy Killing Begins With Three Initially Unintended Victims
- A Member Of The Pro-Slavery Legislature Is Next To Die
- The Slaughter Ends With A Brother Of The Intended Target

Date: May 24, 1856

Brown’s Frenzy Killing Begins With Three Initially Unintended Victims



John Brown (1800-1859)

With the town of Lawrence still in a shambles from the Pro-Slavery assault, the Old Testament abolitionist, John Brown, responds with an eye for an eye.

Brown is fifty-six years old when he moves in October 1856 from his home in New Elba, New York to Potawatomie Creek, Kansas, to join several of his sons in the crusade against slavery. He regards this as his personal destiny, having “consecrated his life” to the cause back in 1837 in response to the murder of Elijah Lovejoy.

His business and family affairs are marked for years by grievous losses, but these only affirm his belief that the Lord has some great purpose still in store for him. He joins the tight-knit circle of abolitionist leaders, both black and white. He meets with Frederick Douglass in 1847 and lays out his plans for a slave uprising in Virginia, then forms his League of Gileadites in 1850 to oppose the Fugitive Slave Act. He favors white abolitionists in the mould of Gerritt Smith, seeking action not just words, willing to resort to what he regarded as “honorable violence.”

His acolytes include members of his own family, and he calls upon four of his sons on May 24, 1856 to avenge the losses suffered three days earlier at Lawrence. It appears that they have two main targets in mind – a member of the Pro-Slavery legislature named Allen Wilkinson, and another man, “Dutch Henry” Sherman.

In their search for Wilkinson, they arrive first at the home of one James Doyle, a pro-slavery man living in Potawatomie. His wife Mahala describes what happens next:

About 11 o'clock at night, after we had all retired, my husband, James P. Doyle, myself, and our seven children (William 22, Drury 20, John 16, Polly Ann 13, James 10, Charles 8, Henry 5) when we heard some persons come into the yard and rap at the door and call for Mr. Doyle, my husband. My husband got up and went to the door. Those outside

inquired for Mr. Wilkson, and where he lived. My husband told them that he would tell them. (He) opened the door, and several came into the house, and said that they were from the army. My husband was a pro-slavery man. They told my husband that he and the boys must surrender, they were their prisoners. These men were armed with pistols and large knives. They first took my husband out of the house, then they took two of my sons-the two oldest ones, William and Drury-out, and then took my husband and these two boys, William and Drury, away. My son John was spared, because I asked them in tears to spare him. In a short time afterwards I heard the report of pistols. I heard two reports, after which I heard moaning, as if a person was dying; then I heard a wild whoop. They had asked before they went away for our horses. We told them that the horses-were out on the prairie. My husband and two boys, my sons, did not come back any more. I went out next morning in search of them, and found my husband and William, my son, lying dead in the road near together, about two hundred yards from the house. My other son I did not see any more until the day he was buried. I was so much overcome that I went to the house. They were buried the next day. On the day of the burying I saw the dead body of Drury.

Mahala sixteen year old son, John, adds more gory details to the account:

On Saturday night...a party of men came to our house; we had all retired; they roused us up, and told us that if we would surrender they would not hurt us. They said they were from the army; they were armed with pistols and knives; they took off my father and two of my brothers, William and Drury. We were all alarmed. They made inquiries about Mr. Wilkson, and about our horses. The next morning was Sunday, the 25th of May, 1856. I went in search of my father and two brothers. I found my father and one brother, William, lying dead in the road, about two hundred yards away. I saw my other brother lying dead on the ground, about one hundred and fifty yards from the house, in the grass, near a ravine; his fingers were cut off, and his arms were cut off; his head was cut open; there was a hole in his breast. William's head was cut open, and a hole was in his jaw, as though it was made by a knife, and a hole was also in his side. My father was shot in the forehead and stabbed in the breast. I have talked often with northern men and eastern men in the Territory, and these men talked exactly like (them)...An old man commanded the party; he was a dark complected, and his face was slim. We had lighted a candle, and about eight of them entered the house; there were some more outside. The complexion of most of those eight whom I saw in the house were of sandy complexion. My father and brothers were proslavery men, and belonged to the law and order party.

James Doyle is shot to death and his two older sons, William and Drury have been hacked to death with broadswords by the time Brown and his men leave their farm. But that much bloodshed is not enough.

Date: May 25, 1856

A Member Of The Pro-Slavery Legislature Is Next To Die

After killing the three Doyles, the search continues for Allen Wilkinson of the “bogus legislature.” Brown’s band arrives at his home after midnight, and haul him out of bed. His wife, Louisa Jane, provides the rest of the story:

I am the widow of the late Allen Wilkinson. We came to Kansas, from Tennessee, in October, 1854; went to our claim, on Pottowatomie creek, about the 12th day of November following. Said claim, where my husband lived at the time of his death, lies in Franklin county, Kansas Territory, about eight miles from Ossawatimie, and the same distance from the mouth of Pottowatomie creek.

On the 25th of May last, somewhere between the hours of midnight and daybreak, cannot say exactly at what hour, after all had retired to bed, we were disturbed by barking of the dog. I was sick with the measles, and woke up Mr. Wilkinson, and asked if he "heard the noise, and what it meant?" He said it was only some one passing about, and soon after was again asleep. It was not long before the dog raged and barked furiously, awakening me once more; pretty soon I heard footsteps as of men approaching; saw one pass by the window, and some one knocked at the door.

I asked, who is that? No one answered. I awoke my husband, who asked, who is that? Some one replied, I want you to tell me the way to Dutch Henry's. He commenced to tell them, and they said to him, "Come out and show us." He wanted to go, but I would not let him; he then told them it was difficult to find his clothes, and could tell them as well without going out of doors. The men out of doors, after that, stepped back, and I thought I could hear them whispering; but they immediately returned, and, as they approached, one of them asked of my husband, "Are you a northern armist?" He said, "I am." I understood the answer to mean that my husband was opposed to the northern or freesoil party. I cannot say that I understood the question.

My husband was a pro-slavery man, and was a member of the territorial legislature held at Shawnee Mission. When my husband said "I am," one of them said, "You are our prisoner. Do you surrender?" He said, "Gentlemen, I do." They said, open the door. Mr. Wilkinson told them to wait till he made a light; and they replied, if you don't open it, we will open it for you. He opened the door against my wishes, and four men came in, and my husband was told to put on his clothes, and they asked him if there were not more men about; they searched for arms, and took a gun and powder flask, all the weapon that was about the house.

I begged them to let Mr. Wilkinson stay with me, saying that I was sick and helpless, and could not stay by myself. My husband also asked them to let him stay with me until he could get some one to wait on me; told them that he would not run off, but would be there the next day, or whenever called for. The old man, who seemed to be in command, looked at me and then around at the children, and replied, "you have neighbors." I said, "so I have, but they are not here, and I cannot go for them" The old man replied, "it matters not," I told him to get ready. My husband wanted to put on his boots and get ready, so as to be protected from the damp and night air, but they wouldn't let him. They then took my husband away.

One of them came back and took two saddles; I asked him what they were going to do with him, and he said, "take him a prisoner to the camp." I wanted one of them to stay with me. He said he would, but "they would not let him." After they were gone, I thought I heard my husband's voice, in complaint, but do not know; went to the door, and all was still.

Next morning Mr. Wilkinson was found about one hundred and fifty yards from the house, in some dead brush. A lady who saw my husband's body, said that there was a

gash in his head and in his side; others said that he was cut in the throat twice. On the Wednesday following I left for fear of my life. I believe that they would have taken my life to prevent me from testifying against them for killing my husband. I believe that one of Captain Brown's sons was in the party, who murdered my husband; I heard a voice like his. I do not know Captain Brown himself. I have two small children, one about eight and the other about five years old. The body of my husband was laid in a new house; I did not see it. My friends would not let me see him for fear of making me worse. I was very ill.

The old man, who seemed to be commander, wore soiled clothes and a straw hat, pulled down over his face. He spoke quick, is a tall, narrow-faced, elderly man. I would recognize him if I could see him. My husband was a poor man. I am now on my way to Tennessee to see my father, William Ball, who lives in Haywood county. I am enabled to go by the kindness of friends in this part of Missouri. Some of the men who took my husband away that night were armed with pistols and knives. I do not recollect whether all I saw were armed. They asked Mr. W. if Mr. McMinn did not live near. My husband was a quiet man, and was not engaged in arresting or disturbing any body. He took no active part in the pro-slavery cause, so as to aggravate the abolitionists; but he was a pro-slavery man.

Four are now dead, but the savagery continues into the morning of May 25.

Date: May 25, 1856

The Slaughter Ends With A Brother Of The Intended Target

Their attention now turns to "Dutch Henry" Sherman, and in searching for him, they arrive at the home of James Harris, who evidently lives nearby. Around 2AM on May 25, Harris is awakened by John Brown and his son, Owen, both of whom he recognizes. The Browns ask Harris as to the whereabouts of "Dutch Henry" Sherman, and then interrogate three other men who are guests at the house. One of them happens to be William Sherman, Henry's brother, and that seals his fate.

James Harris provides the following testimony on the proceedings:

I reside on Pottowatomie creek, near Henry Sherman's, in Kansas Territory. I went there to reside on the last day of March, 1856, and have resided there ever since. On last Sunday morning, about two o'clock, (the 25th of May last,) whilst my wife and child and myself were in bed in the house where we lived, we were aroused by a company of men who said they belonged to the northern army, and who were each armed with a sabre and two revolvers, two of whom I recognized, namely, a Mr. Brown, whose given name I do not remember, commonly known by the appellation of "old man Brown," and his son, Owen Brown.

They came in the house and approached the bed side where we were lying, and ordered us, together with three other men who were in the same house with me, to surrender; that the northern army was upon us, and it would be no use for us to resist. The names of these other three men who were then in my house with me are, William Sherman, John S. Whiteman, the other man I did not know. They were stopping with me that night. They had bought a cow from Henry Sherman, and intended to go home the next morning.

When they came up to the bed, some had drawn sabres in their hands, and some revolvers. They then took into their possession two rifles and a Bowie knife, which I had there in the room-there was but one room in my house-and afterwards ransacked the whole establishment in search of ammunition. They then took one of these three men, who were staying in my house, out. (This was the man whose name I did not know.) He came back. They then took me out, and asked me if there were any more men about the place. I told them there were not. They searched the place but found none others but we four.

They asked me where Henry Sherman was. Henry Sherman was a brother to William Sherman. I told them that he was out on the plains in search of some cattle which he had lost. They asked if I had ever taken any hand in aiding pro-slavery men in coming to the Territory of Kansas, or had ever taken any hand in the last troubles at Lawrence, and asked me whether I had ever done the free State party any harm or ever intended to do that party any harm; they asked me what made me live at such a place. I then answered that I could get higher wages there than anywhere else. They asked me if there were any bridles or saddles about the premises. I told them there was one saddle, which they took, and they also took possession of Henry Sherman's horse, which I had at my place, and made me saddle him. They then said if I would answer no to all the questions which they had asked me, they would let loose.

Old Mr. Brown and his son then went into the house with me. The other three men, Mr. William Sherman, Mr. Whiteman, and the stranger were in the house all this time. After old man Brown and his son went into the house with me, old man Brown asked Mr. Sherman to go out with him, and Mr. Sherman then went out with old Mr. Brown, and another man came into the house in Brown's place. I heard nothing more for about fifteen minutes. Two of the northern army, as they styled themselves, stayed in with us until we heard a cap burst, and then these two men left.

That morning about ten o'clock I found William Sherman dead in the creek near my house. I was looking for Mr. Sherman, as he had not come back, I thought he had been murdered. I took Mr. William Sherman out of the creek and examined him. Mr. Whiteman was with me. Sherman's skull was split open in two places and some of his brains was washed out by the water. A large hole was cut in his breast, and his left hand was cut off except a little piece of skin on one side. We buried him.

As brutal as these attacks were, Brown is able to dismiss them as “righteous” in their intent. As he later says:

It is better that a whole generation of men, women, and children should pass away by a violent death than that slavery should live on.

Others are not so dismissive.

Up to the night of May 24-25, the actual death toll in Kansas has been minor. One man is killed during the Wakarusa War incident, and one dies in the raid on Lawrence, struck by a falling brick.

Thus the killing of Brown's five victims, accompanied by the gruesome character of their wounds and a certain sense of randomness to their fate, seems different to those on both sides – almost a signal that prior restraints need no longer apply to future confrontations.

Chapter 234– Violence In Kansas Continues At The Battle Of Black Jack



Dates:
June 2, 1856

Sections:
• John Brown Leads His Brigade Against A U.S. Marshal

Date: June 2, 1856

John Brown Leads His Brigade Against A U.S. Marshal

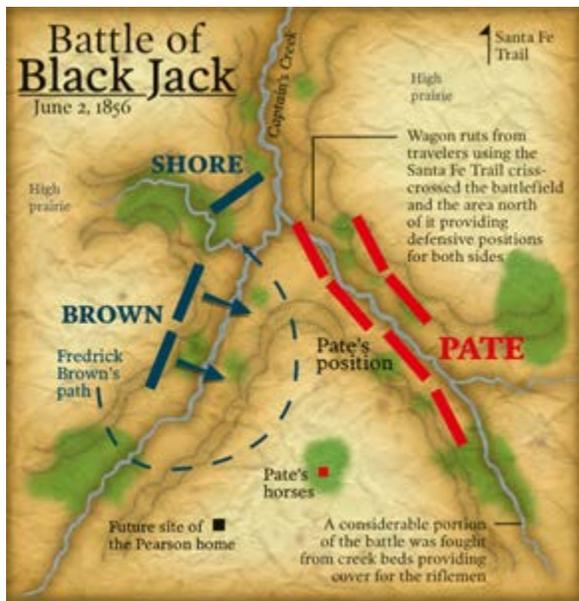
The Potawatomie murders seem to reflect John Brown’s rage over the accumulated humiliations suffered by his anti-slavery camp. Lawrence is helpless against Sheriff Jones’ marauders on May 21; Sumner cannot defend himself against Brooks on May 22; Free State “Governor” Charles Robinson is arrested on May 24, while “Senator” Reeder flees for his own safety.

Brown calls Robinson “a perfect old woman” and the Topeka legislature “more talk than cider.” Potawatomie is his message that the weakness cannot go on:

We must show by actual work that there are two sides to this thing and that they can not go on with this impunity,

Robinson views the act differently, saying that the massacre will simply give Governor Shannon another excuse to call in more federal troops against the Free Staters – and indeed that is what he does.

But Brown is undeterred by the criticism, and organizes his Potawatomie Rifles Brigade to pursue the fight. His next target is U.S. Deputy Marshal H.C. Pate, who also serves in the territorial militia and who participated in the assault on Lawrence. In seeking to arrest Brown for his murders, Pate arrests two of his sons – John Jr. and Jason. Brown intends to free them.



Map of the Battle At Black Jack

On June 2, Pate and a band of some two dozen men are camped at Black Jack, twenty miles south of Lawrence, along Captain’s Creek.

They are attacked there shortly before dawn by Brown and Captain Samuel Shore's brigade. A pitched battle ensues, lasting for upwards of three hours. It ends when Brown slips several men into Pate's rear, convincing him that reinforcements have appeared from Lawrence, and that he is surrounded. In response, he raises a white flag and surrenders along with twenty-three of his men. During the skirmish four of Brown's men are wounded in action.

Brown proceeds to draft a formal "Article of Agreement" which calls for an exchange of prisoners: Brown's two sons in return for Pate and his lieutenant, W. B. Bocket. Both sides sign and the battle is over.

Some historians will later refer to this engagement at Black Jack as the "opening battle in the Civil War."

For Governor Shannon it is one more signal that events are out of control in Kansas, and that he is out of answers on restoring order.

Chapter 235 – The Political Parties Convene To Select Candidates For The 1856 Races



Dates:
February 22 - September 18, 1856

- Sections:**
- Six Separate Political Conventions Are Held In 1856
 - A Shaken Democratic Party Considers Three Presidential Contenders
 - James Buchanan Emerges As The Democratic Nominee
 - Republican Party Maneuvers Sway The Know Nothing “Seceders” Choice For President
 - The Republicans Open Their First Formal Nominating Convention
 - The Platform Crystallizes “The South” As The Threat To The Nation
 - The Republicans Choose John C. Fremont As Their Nominee

Date: February 22 – September 18, 1856

Six Separate Political Conventions Are Held In 1856

Amidst the chaos in Kansas, a total of six political conventions are held to finalize platforms and select nominees for the upcoming 1856 presidential election.

Of the six, only the Democratic Party enjoys a sense of historical continuity. The other five involve parties that are either crumbling or in disarray or just beginning to form up.

National Political Conventions In 1856

Dates	Party	City
February 22-23	Republican “Pre-Meeting”	Pittsburg
February 22-25	American/Know Nothings	Philadelphia
June 2-6	Democrat	Cincinnati
June 12-15	“North American Seceders”	New York
June 17-19	Republican	Philadelphia
September 17-18	Whig	Baltimore

Three of the conventions occur between June 2 and June 19.

The June 2-6 meeting for the Democrats is their seventh quadrennial event in a row going back to 1832, when Andrew Jackson is nominated for a second term. Their only break with tradition is a move west to Cincinnati, after six prior events held in Baltimore.

Next come the so-called “North American Seceders” who gather in New York on June 12-15. The delegates here are the same ones who caused the fatal schism in the Know-Nothing Party by bolting its February convention. They comprise Northerners who demanded a platform repealing the Kansas-Nebraska Act and restoring the 36’30” boundary line on slavery, and then walked out when the singularly focused anti-immigrant faction voted this down.

On June 17-19, the fledgling Republican Party holds its first formal convention in Philadelphia, intent on finalizing its platform, opening its arms to as many new converts as possible, and settling on a credible standard bearer.

Finally, in September, a straggling band of Whigs who have yet to join either the Republicans or the Know Nothings, meet in Baltimore for what will be their last time.

What all six of these events share is an uncomfortable sense of flux and uncertainty that is also gripping the entire republic. Can the political parties hold together in the face of the Kansas-Nebraska Act; can the nation itself hold together? In their own ways, each of the political sessions is marked by divisiveness.

Date: June 2-6, 1856

A Shaken Democratic Party Considers Three Presidential Contenders

The mood of Democratic delegates on the opening day of their Cincinnati convention is a far cry from what was anticipated, given the collapse in 1852 of their longtime Whig rivals. Instead of unity and optimism, events during the Pierce presidency have bred disappointments and the specter of sectional division.

The turning point for the Democrats has been the negative response across the Northern states to the 1854 Kansas-Nebraska Act, which re-opens the possibility of extending slavery into all territories west of the Mississippi River.

While Stephen Douglas and a once reluctant Pierce regard the Act as a high-minded example of democracy in action – i.e. “let the people choose” – the majority of Northerners regard it as a betrayal of the 1820 Missouri Compromise and an outright surrender to the “Slave Power” in the South. This gives rise not only to the formation of a new opponent in the Republican Party, but also the defection of many previously stalwart Democrats, including men like Hannibal Hamlin, Ben Butler, and Montgomery Blair.

The political effects of the 1854 Act are already evident in the mid-term elections where Democrats surrender 75 seats in the House, and a Know-Nothing candidate, Nathaniel Banks, is chosen as its Speaker.

Even within the Southern wing of the party, there are reservations about Pierce’s record in office. Once again, all attempts to open new slave territories beyond America’s borders have failed. Filibustering initiatives by William Walker in Lower California and in Nicaragua are rebuffed, and one more attempt to take over Cuba has ended in the humiliating rejection of the Ostend Manifesto.

On top of that, there is the alarming threat to the Union being played out in Kansas, with its fraudulent elections, two competing legislatures, inept governors and accelerating levels of violence – the Wakarusa incident, assaults on U.S. Marshals, the sack of Lawrence, John Brown’s reprisal murders at Potawatomie, and the Battle at Black Jack.

Despite this baggage, the fifty-two year old Franklin Pierce still hopes to be re-nominated, ignoring his prior pledge to depart after a single term. His reputation across the South remains largely positive, with one newspaper calling him “a lion in the pathway of fanatics” for his defense of slaveholder rights in Kansas. He enjoys pockets of strength in New England, including his home state of New Hampshire,

along with Massachusetts, Rhode Island and Vermont. When he asks his cabinet in November 1855 if he should run again, all say yes. And so he runs again.

His two leading opponents have long shared an ambition to become president. One is the acknowledged leader of the Democratic caucus in Congress, Stephen Douglas, still relatively young at forty-three. The other is Pierce’s Minister to Great Britain, James Buchanan, age sixty-five, a public servant since 1821 and long “waiting his turn.” Both men have earned nomination votes at prior convention, in Buchanan’s case, as far back as 1844.

Prior Votes For The Democratic Nomination

	1844	1848	1852
Stephen Douglas	0	0	102
James Buchanan	26	55	92

Douglas, however, comes to the gathering with similar baggage as Pierce, having been lead author of the Kansas-Nebraska Act and it’s most visible and contentious defender in the face of criticism. Meanwhile, Buchanan has been in England for two years, sheltered from most of the controversy.

The convention itself opens on a note of conflict, when two competing delegations appear from New York, one if favor of Pierce, the other led by the ever obstinate Daniel Dickenson, backing Buchanan. Both groups are seated with each member awarded a half-vote, thus ending Pierce’s chances of winning the Empire state. Other strong figures also oppose his re-nomination, particularly Governor Henry Wise of Virginia and Senator Jesse Bright of Indiana.

No surprises materialize on the platform, which predictably reaffirms both the 1850 Compromise and the 1854 Kansas-Nebraska Act – the “only safe and sound solutions” on the issue of slavery.

Date: June 2-6, 1856

James Buchanan Emerges As The Democratic Nominee



James Buchanan (1791-1868)

June 5 brings the first day of balloting for president. According to convention rules renewed in 1844, a nominee must receive two-thirds of all votes cast to secure a victory. In effect this rule insures that a Southern coalition, unified around shared aims on slavery, will be able to veto any candidate who opposes their wishes.

The initial vote shows a close race between Buchanan and Pierce, with neither man even able to muster a simple majority. At this point, Pierce leads “Buck” in the Slave States by 74-34, with Mississippi giving the remaining 9 Southern votes to Douglas, whose well concealed plantations are there.

Over half of Buchanan’s votes reside in just three states: Ohio, Indiana, and Pennsylvania. As expected, New York divides down the middle, with an 18-17 edge to Pierce.

Both men exhibit staying power until the sixth ballot, when Buchanan creeps up to the 155 level after Tennessee momentarily shifts his way from Pierce. The President’s slide continues on the seventh vote, as those opposed to Buchanan begin to test Douglas’s upside potential.

By the 16th round it’s clear that neither Douglas nor Pierce can overtake Buchanan.

After apparently receiving an assurance from “Buck” to endorse him in the 1860 contest, Douglas withdraws his name and the voting ends.

Votes Cast For The Democratic Presidential Nomination In 1856

Candidates	1 st	2 nd	3 rd	6 th	7 th	10 th	14 th	15 th	16 th	17 th
James Buchanan	135.5	139.0	139.5	155.0	143.5	147.5	152.5	168.5	168.0	296.0
Franklin Pierce	122.5	119.5	119.0	107.5	89.0	80.5	75.0	3.5	0	0
Stephen Douglas	33.0	31.5	32.0	28.0	58.0	62.5	63.0	118.5	122.0	0
Lewis Cass	5.0	6.0	5.5	5.5	5.5	5.5	5.5	4.5	6.0	0
Total	296.0	296.0	296.0	296.0	296.0	296.0	296.0	295.0	296.0	296.0
Needed To Win	197	197	197	197	197	197	197	197	197	197

The Vice-Presidential slot goes on the second ballot to 34 year old John C. Breckinridge, a Princeton graduate, veteran of the Mexican War, practicing attorney in his home state of Kentucky and a previous backer of Pierce for the presidency.

Pierce is disappointed by his rejection, but vows to support the ticket and predicts a Democrat win in the vote ahead. The *New York Times* pulls no punches in summing up his political journey as follows:

He was taken up in the first place because he was unknown, and now he is spurned because he is known.

Sidebar: Why The Democrats Nominate Northern “Doughfaces”

James Buchanan follows Lewis Cass of Michigan and Franklin Pierce of New Hampshire as the third Democratic nominee in a row from the North who embraces political policies that tilt toward the South. This leads to the derisive moniker handed them by their opponents -- “Doughfaces” – Northern men whose political survival depends on their acquiescence to the “Slave Power.”

If this label is correct – and it fits Cass, Pierce and Buchanan – the question becomes “why?”

Why should the Democrats nominate these men for President in 1856 when only four of the nation’s first fourteen elections have gone to Northerners (the two Adams, Van Buren and Harrison) – and two of the last three winners have come from the South (Polk and Taylor)?

And doubly so when several possible Southern Democrats look at least as credible as James Polk when he was nominated 1844 -- Democrats like Jefferson Davis, Lin Boyd, Wise, Houston, Johnson and Guthrie. (Other qualified Southerners also exist – Robert Toombs, John J. Crittenden, Alexander Stephens, John Bell and Howell Cobb -- but they are either Whigs or Democratic drop-outs.)

Seemingly Qualified Southern Candidates For The Democratic Nomination: 1856

Candidates	State	Age	Credentials
Jefferson Davis	Miss	48	Military, US House '45-46, Mexican War hero, US Senate '47-51, Secretary of War '53 to present
Lin Boyd	Ky	56	Farmer, US House '35-55, Speaker of House '51-55, key player in Compromise of 1850
Henry Wise	Va	50	Lawyer, US House '33-44 as Whig, Minister to Brazil '44-47, Democrat by '47, Virginia Gov '56
Sam Houston	Tex	63	War of 1812, lawyer, US House '23-27, Tenn Gov, Rep of Texas President, US Senator '46 to present
Herschel Johnson	Ga	54	Lawyer, US Senate '48-49, Governor of Georgia '53 to present
James Guthrie	Ky	64	Lawyer, state legislature, President U-Louisville, Secretary of Treasury '53 to present

Three factors explain the Democrat's "Northern Doughface" strategy.

The first is that nearly 60% of all the electoral votes continue to be concentrated in the Northern Free States.

Distribution Of Total Electoral Votes For The Presidency

	1832	1836	1840	1844	1848	1852	1856
Northern Free States	58%	57%	57%	58%	58%	59%	59%
Southern Slave States	42	43	43	42	42	41	41

Second is history, which shows that to win the election, a candidate must be able to secure over 55% of all the Northern electoral votes. Although both Polk and Taylor meet that threshold, Northerners like Harrison and Pierce enjoy much higher margins.

Percent Of Electoral Votes By Region Enjoyed By Presidential Winners

	1832	1836	1840	1844	1848	1852
Winner	Jackson	Van Buren	Harrison	Polk	Taylor	Pierce
Home State	Tenn	NY	Ohio	Tenn	La	NH
Party	Dem.	Dem.	Whig	Dem.	Whig	Dem.
All Electoral Votes	286	294	294	275	290	296
Northern Free States	165	168	168	161	169	176
Southern Slave States	121	126	126	114	121	120
Winner's Total E Votes	219	170	234	170	152	254
Northern Free States	132	99	156	103	97	158
Southern Slave States	87	71	78	67	55	96
% North E Votes Won	80%	59%	93%	62%	57%	90%
% South E Votes Won	72	56	62	59	45	80

Finally, and of the greatest importance to Democratic strategists in 1856, is the sense that Northern voters are turning against them on issues surrounding slavery – first the negative reactions to the 1850 Fugitive Slave Act, then to the 1854 Kansas-Nebraska Bill. The 75 seat loss

in the House, overwhelmingly centered in the North, demonstrates this backlash.

Hence the Democrat's choice of a third consecutive Doughface in Buchanan.

Within the Cincinnati convention, Southern delegates, who retain veto power over the nominee by means of the 2/3rds rule, see him as sufficiently amenable on slavery-related issues. Beyond the convention, the hope is that his Pennsylvania background and his absence in Britain during the Kansas-Nebraska furor will prove acceptable to Northern voters in the Fall.

(The actual outcome will show that Buchanan goes on to win only because of his near total dominance in the South and the fact that the Northern vote gets split between his two opponents, Fremont and Fillmore.)

Date: June 12-15, 1856

Republican Party Maneuvers Sway The Know Nothing "Seceders" Choice For President

The Know Nothing "Seceder" delegates who have walked out of the party's national convention back in February meet in New York City on June 12-15 to select their nominee for the 1856 race.

Their homes are in the North, from New England across the Midwest, and they are united in demanding a candidate who opposes the Kansas-Nebraska Act and the possibility of slavery migrating to the west – in addition to their anti-immigrant feelings.

Their earlier exit from the New York City conclave has been orchestrated by those who to align them with the new Republican Party, namely Thomas Spooner of Ohio and Ohio Governor, Salmon P. Chase.

No one has been dedicated longer to defeating the Democrats than Salmon Chase, and he now thinks that if he can succeed by "fusing" dissident Know Nothings and ex-Whigs into the Republican ranks. In fact, he is convinced that this fusion explains his recent election in Ohio.

But pulling this fusion off will be tricky since the Know Nothings are much more opposed to immigration and Catholics than are most Republicans.

To attract the "Seceder" group without offending the other Republican factions, Chase explores a modified stance on immigration. Instead of the "Seceder's" wish for a flat out ban on non-native born citizens holding political office, perhaps all immigrants should be required to renounce any foreign allegiances. Instead of requiring twenty-one years of residence before an immigrant can become a citizen, perhaps the prior five year delay might still suffice.

While Chase is formulating his strategies, so too are a wide range of other Republican operatives, most notably the New York kingmakers, Edward D. Morgan, first Party Chairman, Thurlow Weed, Isaac Sherman and Horace Greeley.

Their candidate, however, is definitely not Salmon Chase, but John C. Fremont, the western "pathfinder" who they see as "less defined" politically, less polarizing on slavery and immigration, and therefore more credible as a "fusion" alternative.

Other Key Republican Party Strategists Who Hope To Influence The Know Nothing “Seceders”

	State	Credentials
Edwin D. Morgan	New York	First Chairman of the Republican National Committee, businessman, later NY Governor & Senator
Thurlow Weed	New York	Editor <i>Albany Evening Journal</i> , head of Whig machine in NY, Henry Seward’s sponsor, anti-slavery voice
Horace Greeley	New York	Editor, <i>New York Tribune</i> (highest US circulation), abolitionist, socialist, reform activist, influencer
Francis P Blair, Sr.	Washington DC	Jackson loyalist turned Republican, presides at early Pittsburg convention to form party, Fremont backer
Preston King	New York	Democrat turned Barnburner, Free Soiler and then Republican, strategist, later US Senator from NY
Isaac Sherman	New York	Lumber business, investor in Southern railroads, back-stage politician, Free Soiler, then Fremont supporter
Henry Wilson	Massachusetts	Humble shoemaker turned politician, US Senator as momentary Know-Nothing, abolitionist, party founder
Schuyler Colfax	Indiana	<i>South Bend Free Press</i> , Greeley friend, US House as Know Nothing, but anti-slavery & KN Act, founder

These men fear, however, that Fremont’s chances of winning the Republican nomination will be hurt if the “Seceder” select him before their own convention. This, they believe, would “brand” Fremont as a Know Nothing among the Republican delegates.

To avoid that outcome, they go to work on several prominent Know Nothing Seceders, including the brash financier George Law, still angry over his loss of the party nomination to Millard Fillmore in February and influential Mayor Robert T. Conrad of Philadelphia.



Nathaniel Banks (1816-1894)

They also appeal to Nathaniel Banks himself to come on board as a Republican rather than a Know Nothing, and back Fremont.

It is Isaac Sherman who approaches Banks prior to the convention with a proposed “finesse” that would allow the Seceders to eventually back Fremont if they choose to, but without actually nominating him at their convention. In a letter, Sherman suggests an option whereby the popular Banks would win the nomination, but then decline it later on in favor of Fremont. With the implication that, in exchange, the Republican Vice-Presidential slot could go to a Know Nothing.

Would it not be well to have the KN's nominate you on the 12th of June for President and some Whig like Gov. Johnson (sic) of Penn for Vice-President Johnston as VP. and then you decline the moment that the Republican Convention in Philadelphia has nominated Fremont. Could we not have an understanding of this kind which would virtually give the KN's the nomination of the Vice president?

That manipulative scenario is what transpires in New York. Banks leads the balloting from start to finish, first surpassing Fremont, and then, later on, Judge John McLean, a conservative Whig from Ohio, currently serving on the U.S. Supreme Court.

Votes Cast At The Know Nothing Seceders' Convention In 1856

Candidates	1st	2nd	3rd	4th	5th	6th	7th	8th	9th	10th
Nathaniel Banks	43	48	46	47	46	45	51	50	50	53
John C. Fremont	34	36	37	37	31	29	29	27	28	18
John McLean	19	10	2	29	33	40	41	40	34	24
Robert Stockton	14	20	18	0	0	0	0	0	0	0
William Johnston	6	1	15	0	0	0	0	0	0	0
Others	5	0	0	0	1	2	0	0	0	0
Total	121	115	118	113	111	116	121	117	112	95

Having won the votes, however, Banks, according to the plan, fails to accept the nomination on the spot.

Instead, he stalls until after the Republican Convention, and then throws his support behind Fremont, while encouraging the Know Nothing Seceders to follow suit.

Some will go along. Others will be offended by the backroom maneuvering and any loss of focus on the “America for Americans” theme.

Date: June 17-19, 1856

The Republicans Open Their First Formal Nominating Convention

It is now the Republican’s turn to coalesce as a national party, and they do so at the Musical Fund Hall in Philadelphia June 17-19. Attendance tops two thousand with 567 official delegates and the rest there to observe and support their favorite candidates.

Since their February meeting in Pittsburgh, Republican headquarter operations have sprung up in states across the nation, headed by politicians of all ilk’s – ex-Whigs, transitional Know-Nothings and Free Soil Democrats.

Some Statewide Leaders In The New Republican Party

States	Electoral	Early Converts
New York	35 votes*	George Morgan, Thurlow Weed, Henry Seward, Preston King, Greeley, etc.
Pennsylvania	27	Know Nothings Thad Stevens and Simon Cameron, Free Soiler David Wilmot
Ohio	23 *	Free Soilers Salmon Chase, Joshua Giddings, John McLean
Massachusetts	13	Know Nothings Nathaniel Banks and Henry Wilson
Indiana	13	KN Schuyler Colfax, anti-slavery Democrat Oliver Morton, Whig Henry Lane
Illinois	11	Anti-Douglas men: Lyman Trumbull, Orville Browning, Abraham Lincoln
Maine	8 *	Anti-slavery Democrat Hannibal Hamlin, Whig Israel Washburn
New Jersey	7	Ex-Whig William Dayton
Connecticut	6	Anti-slavery Democrat Gideon Welles
Michigan	6 *	Anti-slavery Whig Zachariah Chandler
New Hampshire	5 *	Oppositionist John Hale
Vermont	5 *	Ex-Whig Solomon Foot

California	4	John C. Fremont
Iowa	4	James Grimes

* Number of delegates at the convention

Among those who continue to pull the strings at the convention in search of “fusion” are six men in particular:

- Edwin D. Morgan, chair of the Republican national committee, who presides over the event;
- Thurlow Weed, the long-time leader of the New York Whigs, and political handler for Henry Seward;
- Nathaniel Banks, Speaker of the House and darling of the Know Nothing Party;
- Francis Blair Sr., symbol of the anti-slavery Free Soilers who have abandoned the Democrats; and
- Two prominent journalists, Horace Greeley (*The New York Tribune*) and John Bigelow (*New York Evening Post*.)

The first order of business lies in crafting a platform, and the result is one that is widely applauded by all opposed to the spread of slavery – either on moral grounds, racial antipathy toward blacks, or in defense of the “dignity of white labor” against the denigrating effects of more southern plantations.

The final document opens with praise for the Declaration of Independence, the US Constitution and the sacred Union, and trumpets Salmon Chase’s belief that the founding fathers intended for slavery to wither away rather than spread and prosper. It says that Congress retains “sovereign power” over the new territories and that it has:

Both the right and the imperative duty...to prohibit in the territories those twin relics of barbarism – polygamy and slavery.

Predictably it goes on to call for repeal of the Kansas-Nebraska Act, attacks the Pierce administration for a litany of failures that endanger the Union, and demands the immediate admission of Kansas as a Free State.

Beyond that, the platform goes out of its way to avoid divisive issues. No references are made to abolition, even in the District of Columbia. Gone too are traditional Whig vs. Democrat clashes over tariffs, the banking system and federal spending on infrastructure.

Also almost entirely glossed over are the Know Nothing’s issues around immigration and the “Catholic threat” -- with one exception – an oblique reference to protecting the “liberty of conscience,” thought to support the presence of the King James Bible in public school classrooms. While nativist concerns do draw some platform discussions, the feeling seems to be that if Know Nothing leaders like Banks, Wilson and Colfax support the Republican cause, their fellow lodge members will follow suit.

Date: June 17-19, 1856

The Platform Crystallizes “The South” As The Threat To The Nation

As the convention progresses it becomes clear that the Republicans no longer regard their opposition as the Democratic Party, but rather The South – and not simply its 330,000 or so slaveholders, but the section as a whole.

Thus the term “Slave Power,” previously the attack phrase of the abolitionist’s, is adopted by the convention as the nom de guerre of the true enemy – along with its Doughface lackeys like Pierce, Buchanan and Douglas.

This coalition, the Republicans argue, threatens the very foundational values which have made America great.

Instead of a culture where every white man enjoys a roughly equal shot at economic success and upward mobility, the South operates more like an aristocracy of planter princes living in luxury, surrounded by hardscrabble serfs struggling for economic survival.

Instead of rejecting human bondage as a violation of natural law, the South clings to its “peculiar institution” and the moral debasements which accompany it.

Instead of dignifying the value of free labor, Southern elites make a mockery of it in their reliance on slave labor.

So too with the democratic principle of “majority rules,” which the South tries to frustrate through the power of its monolithic voting block or through calls for “nullification.”

Then comes a resort to violence, as demonstrated recently in the Border Ruffians marauding in Kansas and the brutal caning of Charles Sumner on the floor of the Senate.

Finally, if it fails to get its way by other means, the South threatens to break its sacred contract with the other states and secede from the Union.

Nothing animates the convention delegates more than what they see as the Republican Party commitment to protect America’s core values against the threats posed by the Slave Power -- with their weapon of choice being a flat out denial of the South’s demand to take slavery into the west.

In one fell swoop the Republicans say this denial will signal the triumph of the common man over the Southern aristos, of free labor over slave labor, of majority rule over nullification, of good over evil. The cause is just; let right be done.

Once the moral case is established, the political question becomes how many other Northerners, especially Democrats, will step up in November 1856 to join the Republicans in resisting the Slave Power?

Date: June 17-19, 1856

The Republicans Choose John C. Fremont As Their Nominee



John C. Fremont (1813-1890)

With the platform locked down and high levels of enthusiasm in the hall, the delegates turn their attention to selecting the party’s first nominee for president, a moment that will actually prove anti-climactic.

A total of five men have been under consideration by Republican leaders since the opening dinner at Francis Blair’s house back in December 1855.

Five Potential Candidates For The Republican Nomination In 1855

Name	Age	State	Prior Party	Current Status
Nathaniel Banks	40	Mass	Know Nothing	Speaker of the U.S. House of Representatives
Salmon Chase	48	Ohio	Free Soil	Governor of Ohio
John C. Fremont	43	Cal	Undeclared	Ex-Senator from California now living in NYC
John McLean	71	Ohio	Whig	Associate Justice of the U.S. Supreme Court
Henry Seward	55	NY	Whig	U.S. Senator from New York

Banks is considered too much of a Know Nothing and too little of a slavery opponent to qualify for the nomination. Besides, he has already declared in favor of Fremont.

Chase is associated with the hard core abolitionists, lacks personal magnetism, and arrives without the full support of his home state of Ohio, where many still back his Whig rival, John McLean.

Judge McLean retains some support at the convention among the conservative Whigs, but he is seventy-one and viewed by many as an “old fogie” rather than the fresh face needed by a brand new political party.

Then there is Henry Seward, regarded by many as the ideal choice, and reportedly receiving the loudest cheers of support within the hall. He struggles mightily to decide whether or not to run after his long-term advisor, Thurlow Weed, assures him that the Republicans simply cannot win in 1856.

Weed’s math is compelling and will turn out to be correct. It begins with the assumption that the Anti-Slave Power party platform will cost the Republican all 120 electoral votes residing in the South – thus leaving only 176 in play, and a need to win 149 of them for victory.

Despite the troubling prospect of a third party of “hold-out Whigs,” Weed believes that the new party can carry New England, New York, Ohio and the Upper Midwest for a total of 114 electoral votes. But to

achieve the 149 total needed to win, the Republicans must still get 35 of the 62 votes in the remaining “toss-up” states.

The biggest single barrier to this result is Pennsylvania, Buchanan’s home state and one where the Republican party infrastructure has been weak all along. Organizational problems also exist in New Jersey and California for sure, and to some extent in Illinois and Indiana. But even if the losses are confined to the 38 votes in Pennsylvania, New Jersey and California, Seward’s total would be 138, or 11 short of victory.

Thurlow Weed’s Apparent Electoral Math

	Electoral Votes
Grand Total	296
Needed To Win	149
Sure Losses – Slave States	120
Left In Play	176
Republican Strengths	114
New England	41
New York	35
Ohio	23
Upper Midwest	15
Toss Up States	62
Pennsylvania	27
Indiana	13
Illinois	11
New Jersey	7
California	4

Seward is not happy to hear the dire prognosis from Weed, but when it is also backed up by George Morgan, Horace Greeley and other political insiders, he decides to withdraw his name.

With Banks, Chase and Seward off the board, the spotlight shines on John C. Fremont. He grows up in South Carolina before joining the army and becoming famous for leading five trailblazing expeditions out west, the most recent in 1854. His exploits make him a national hero, Colonel Fremont, the American “Pathfinder” and commander of the “Bear Flag Revolt,” followed later by a brief stint as U.S. Senator from California.

Fremont’s latest political convictions are largely unknown, even to his supporters. His wife Jesse is the daughter of the Democratic Senator from Missouri, Thomas Hart Benton, and it is the disillusioned Democrat Francis Blair Sr. who prompts him to run. His credentials on slavery are thin, although he will eventually claim that he left the Democrats over repeal of the Missouri Compromise, and will be endorsed by abolitionists like Benjamin Wade and John P. Hale. Also on board are Know Nothings, most notably Nathaniel Banks and Schuyler Colfax.

Thurlow Weed also arrives at Fremont, viewing him much as his former “national hero” picks who were elected during his Whig years, Generals Harrison and Taylor. Like others, Weed also thinks Fremont has the Republican’s best shot at carrying Pennsylvania.

When the call goes out for nominations, only two men are offered up to the delegates, Fremont and McLean – and just before the first ballots are cast, a false rumor is spread that the Ohio Judge is about to withdraw his name. This only makes the results even more overwhelming in favor of Fremont.

First Ballot For President

Candidate	Total
John C. Fremont	530
John McLean	37

A few are dismayed by the choice, among them Horace Greeley, who has been hot and cold toward Fremont all along. In the end he calls him:

The merest baby in politics...not knowing the ABC's and attributing importance to the most ridiculously insignificant matters and regarding the most vital of no account.

With Fremont chosen, what's left for the convention is to pick a Vice-President. This sparks conflict between the Know Nothing contingent of "Seceders," who feel they are "owed" the selection of Pennsylvania Governor William Johnston, and the Keystone state's delegates, especially Wilmot and Stevens, who are violently opposed to him. When this split cannot be resolved, other options appear. One is Nathaniel Banks, but he is reluctant to resign as Speaker of the House to seek the office, and delegates are reluctant to have two ex-Democrats on their ticket.

Another possibility is Abraham Lincoln, who will be put forward for national office here for the first time.

Lincoln has officially declared himself a Republican in advance of the convention. Given his Whig history, he leans toward McLean for the top spot, while declaring that he will stump for whoever wins the nomination. He does not attend the convention, and it is the Illinois delegation that offers him up for Vice-President on behalf of the western states. Cleverly they persuade John Allison of Pennsylvania to nominate him, as "the prince of good fellows and an Old-Line Whig." Lyman Trumbull supports him as does an old state opponent, John C. Palmer, who says:

We (in Illinois) can lick Buchanan any way, but I think we can do it a little easier if we had Lincoln on the ticket along with John C. Fremont.

But the rally for Lincoln begins too late, as momentum builds behind William Dayton, ex-U.S. Senator from New Jersey, whose singular asset appears to be his potential to carry his home state. When the ballots are finally in, he joins Fremont on the ticket.

Vice-Presidential Votes

Candidate	% Total
William Dayton	65%
Abraham Lincoln	14
Nathaniel Banks	6
David Wilmot	5
Charles Sumner	4
All-Others	6

The next step for the Republicans will be to begin campaigning versus the Slave Power, while waiting to see whether the “hold-out Whigs” will run a third candidate in the election.

Their alliterative campaign slogan becomes: “Free Soil, Free Men and Fremont.”

Chapter 236 – The Congressional Search For Solutions In Kansas Remains Stalled



Dates:
June 23-July 3, 1856

Sections:

- The “Toombs Bill” Is Floated Out As A Potential Next Step For Kansas
- The Political Stalemate Over Kansas Continues In Congress

Date: June 23 – July 2, 1856

The “Toombs Bill” Is Floated Out As A Potential Next Step For Kansas



With the major party conventions out of the way, Congress returns to the turmoil in Kansas.

A month has passed since news of the Pottawatomie Massacre captures the attention of the public, and all sides now vie to offer up ideas on what to do next. The Democrats are intent on trying to calm the waters prior to the upcoming election, while the Republicans seek to keep the issue of slavery in Kansas front and center in the minds of the voters.

Meanwhile two ex-Whig from Georgia offer up their own proposal. It is christened the “Toombs Bill,” after Senator Robert Toombs, now a Democrat, who authors it along with his long-term ally, Alexander Stephens, now officially a “Unionist.” Both of course are also Southerners, which signals a belief that, if passed, it will benefit the pro-slavery cause in the end.

Alexander Stephens (1812-1883)

The Toombs Bill calls for:

1. Completion of a new census in Kansas to identify actual residents entitled to vote;
2. A five person commission, backed by a military presence, to oversee the voting process;
3. The election of delegates to attend yet another Constitutional Convention;
4. A vote by the attendees on whether to declare Kansas as a Free or Slave State; and
5. Then immediate admission of the territory to the Union based on whatever label is chosen.

In putting together the bill, both Toombs and Stephens believe that the majority of authentic residents of Kansas are pro-slavery, and that passage will simultaneously take the issue away from the Republicans and favor the Southern position. Toombs casts the bill as a concession, given that it puts at risk the Pro-Slavery legislature currently in place. He does this, he say, in the interest of peace:

I determined to give peace to the country if this would do it.

Some are surprised by the Southerners offer, John Hale among them, who calls it:

A much fairer bill than I expected from that latitude.

Horace Greeley's response is different. He views it as a political trap, intended to artificially deflate the threat from the Slave Power which is at the heart of Fremont's campaign strategies. He asks his Republican colleagues:

Do you want some nasty fix-up or compromise on Kansas – one that will be hailed by the whole Buchanan and Fillmore press and parties as a settlement of the Kansas question?

Others point out that the bill fails to undo the pro-slavery legislation already passed by the “bogus legislature” at the Shawnee Mission -- and Henry Seward attacks it for failing to include a statewide “op sov” vote on the Constitution.

An angered Toombs responds, asserting that Seward's radical Republicans are in the minority, and are sacrificing the good of their countrymen for their own political ends.

No minority ever received such insurances of the integrity and fair dealing of any measure in the history of this Government. ... You will abuse your own countrymen as long as they stand out against your treasonable and wicked schemes for overturning the liberties of the country.

After further debate, the Senate prepares to vote on the measure.

Date: July 1-3, 1856

The Political Stalemate Over Kansas Continues In Congress

Before the voting begins, however, new information is brought to bear on conditions in the Territory.

It comes in the form of final reports from the special “Committee To Investigate The Troubles In Kansas,” created by Congress back on March 19, 1856, and involving three Whig members of the House: John Sherman of Ohio, Mordecai Oliver of Missouri, and the chairman, William Howard of Michigan.

All three have traveled in person to Kansas to take depositions from locals who have lived through the conflict. These take place from April 18 to June 18, and are captured verbatim in a document that runs 1206 pages long. It includes a majority report written by Howard and Sherman, and a dissenting report from Oliver.

The former concludes that the March 30, 1855, election was fraudulent, as is the Pro-Slavery Legislature which resulted from it.

A legislature thus imposed upon a people cannot affect their political rights. Such an attempt...reduces the people of the territory to the condition of vassals to a neighboring state.

It also says that the December 15, 1855 vote on the Topeka Constitution was a proper reflection of the political will of the residents, and proof that Kansas should be admitted as a Free State.

Oliver's minority report disagrees with these findings, but is widely dismissed owing to his earlier statement that he "knew of no one who came from Missouri to vote in the territory," along with his reported wish to "wipe out the damned Abolitionists."

The response to the Committee reports differs sharply in the Senate, controlled 2:1 by Democrats, versus the House, tilting 2:1 toward the Opposition parties.

The Senate treats them as affirmation of the need to re-start the territorial admission process over from scratch, with the Toombs Bill as the proper roadmap. On July 3 the members pass the legislation by a 33-12 margin and send it along to the House.

The House rejects the Senate measure and, in a close vote, passes a bill calling for the immediate admission of Kansas as a Free State under the Topeka Constitution.

Stephen Douglas quashes the House version, passes the Toombs Bill a second time, and works alongside President Pierce to lobby the lower chamber for support. But Republicans again point out that it ignores a statewide vote on a Constitution (ironically the essence of Douglas's "popular sovereignty") and express little confidence in the five member oversight commission likely to be chosen.

This back and forth will now drag on for another six weeks until the session ends on August 18, without closure.

Chapter 237 – Federal Troops Disband The Topeka Legislature



Dates:
July 4, 1856

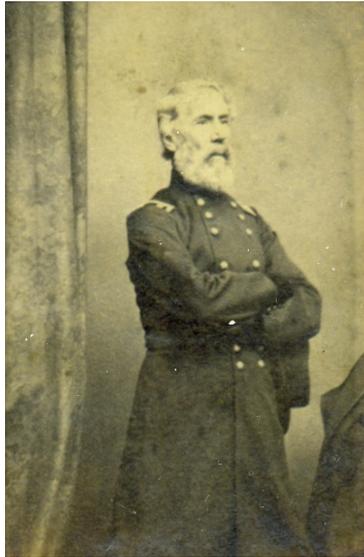
Sections:

- Colonel Edwin Sumner Is Ordered Into Topeka

Date: July 4, 1856

Colonel Edwin Sumner Is Ordered Into Topeka

One day after the Toombs Bill is stalled in Congress, the Pierce administration and Governor Wilson Shannon take another step toward trying to stamp out the Free State government in Topeka.



A prior attempt to do so has led to the imprisonment on May 10, 1856, of Charles Robinson, the acting Free State Governor. He is currently in a jail in Leecompton, facing charges of treason, and fearing an imminent execution.

Since then, however, civil disorder has only accelerated with the sack of Lawrence on May 21 and John Brown’s attacks at Pottawatomie on May 24 and at Black Jack on June 2.

The question of how best to restore order falls back on Shannon, along with President Pierce and his Secretary of War, Jefferson Davis. The Lawrence incident proves that the Kansas militia is more likely to exacerbate the conflict rather than resolve it. Hence Shannon pleads for more direct assistance from Federal troops under the command of Colonel Edwin “Bull” Sumner, whose headquarters are at Ft. Leavenworth.

Edwin “Bull” Sumner (1797-1863)

Sumner is fifty-nine years old and a career army officer, having served in the Mexican War and several frontier campaigns against various tribes. Shannon requests his help with general policing activities, monitoring the roads and dispersing any suspect marauders. Sumner makes good progress on this, and before a scheduled reassignment, Shannon asks him on June 23 to tackle one final mission in the town of Topeka.

This involves a “Grand Mass Convention At Topeka” scheduled to coincide with the celebration of Independence Day and prepare for the next session of the Free State Legislature.

Shannon asks Sumner to “disperse” the attendees, “peacefully, if you can, forcibly if necessary” and cites for him the legal grounds for his request. In response Sumner assembles a force of five cavalry and two artillery units, and camps on the outskirts of Topeka on July 3 to confer with civilian authorities on a plan.

The celebrations are under way on the Fourth when Marshal Donelson and Judge Rush Elmore enter Constitution Hall to inform the assembled legislature that it is acting illegally and must disperse – either voluntarily or in response to Colonel Sumner’s federal troops. The stunned officials send Donelson on his way, and then agree not to resist the judge’s order.

When Sumner marches into Topeka, he deploys his forces and then handles the situation in a calm and reassuring fashion. He tells the crowd that his intent is neither to interfere with the Independence Day events nor to disarm the Topeka militia – rather to just prevent the legislature from convening. He is received into the hall itself and sits quietly until an attempt is made to call the meeting to order. At that point he rises and speaks out:

Gentlemen, I am called upon this day to perform the most painful duty of my life. Under the authority of the President’s Proclamation I am here to disperse this Legislature and therefore inform you that you cannot meet. I therefore in accordance with my orders command you to disperse. God knows I have no party feeling and will hold none so long as I hold my present position in Kansas. I have just returned from the borders where I have been sending home companies of Missourians and now I am here to disperse you. Such are my orders that you must disperse. I now command you to disperse. I repeat that this is the most painful duty of my whole life. But you must disperse.

He is asked by one of the thirty-five members present if “the bayonet” will be used should they resist, and when he answers in the affirmative, a call to adjourn empties the room.

Colonel Sumner has done his duty, and in a fashion that actually earns him “three cheers” as he leads his troops out of the town. The Free Staters are angered by the outcome, but their wrath is reserved for Shannon and Pierce, and not for Sumner.

Chapter 238 – Fighting Continues In “Bloody Kansas”



Dates:
August 1856

- Sections:**
- A Free State Offensive Targets Three Border Ruffian Forts
 - General James Lane Wins A Victory At Ft. Franklin
 - Ft. Saunders Falls Without A Shot Fired
 - The Free State Forces Also Prevail At Ft. Titus
 - Governor Shannon Is Removed After Yet Another Attempt At A Truce
 - The Pro-Slavery Militia Destroy The Town Of Osawatomie
 - Recorded Battles In Kansas During 1856

Date: August 1856

A Free State Offensive Targets Three Border Ruffian Forts

If anything, the move by Governor Shannon to shut down the Topeka legislature only intensifies the Free Stater’s commitment to using force to achieve their ends.



To do so, they must assemble enough firepower to confront the Border Ruffians militia, whose strength – 700 men on horseback, armed with rifles and several cannon -- is on display during the May 21 sack of Lawrence.

The task falls to two men: “General” James Henry Lane and “Captain” John Brown. Lane is well-trained in warfare, having fought under Zachary Taylor in the Mexican War, most notably at the Battle of Buena Vista. Brown is strictly an amateur, but one noted for his dogged determination and physical courage.

Like others who enlist, they will fight for very different reasons – Brown to abolish the sin of slavery, Lane to insure that the western lands will belong to white men, free from the threats posed by all blacks and southern planters.

By early August the Free State militia – known alternatively as “Jayhawkers” or “Lane’s Brigade” – is sufficiently organized to go on the offensive. Its focus will fall on three Ruffian strongholds, two south of Lawrence and one north, just below Lecompton.

Map Showing Free State Towns Of Topeka And Lawrence And Pro-Slavery Centers at Lecompton And Shawnee Mission. Distance = 20 Miles From Topeka To Lecompton (For Perspective)

Pro-Slavery Forts To Be Attacked

Targets	Location Relative To Lawrence
Ft. Franklin	4 miles south
Ft. Saunders	12 miles south
Ft. Titus	15 miles northwest

These “forts” are all modest affairs, no more than sizable storehouses, constructed of logs and guarded by sentries. Their purpose is to act as a meeting place for members of the Pro-Slavery Militia and an armory where weapons, currency and rations can be stored and accessed as needed.

The Jayhawkers hope to move swiftly against all three targets, with General Lane moving south from the Free State capital in Lawrence to capture Ft. Franklin and Ft. Saunders, and his second-in-command, “Captain” Samuel Walker, heading northwest against Ft. Titus, situated only one mile south of the Pro-Slavery town of Lecompton.

Date: August 12, 1856

General James Lane Wins A Victory At Ft. Franklin



James Henry Lane (1814-1866)

The town of Franklin dates to 1854, and becomes headquarters for Pro-Slavery Sheriff Samuel Jones, particularly hated for his role in the attack on Lawrence. A cannon stolen during that incursion – known as “Old Sacramento” – is stored in Franklins Fort, a blockhouse that serves as an armory.

One attempt by the Free Staters to retrieve the cannon is beaten back on June 4, but now General Lane, along with some 75 troopers, returns for another try on August 12, 1856.

Ft. Franklin is defended by 20 men who are able to resist Lane’s assault for several hours, until darkness sets in.

But that ends when a wagon load of hay is set on fire at the fort’s entrance and sends the defenders scurrying for their lives. Lane is victorious and “Old Sacramento” is back in the Free-Stater’s hands, along with over 50 muskets and ammunition, foodstuffs, and 14 prisoners.

Casualties are modest, with each side losing one man killed and a handful wounded.

The few Ruffians able to escape make their way some eight miles further south to Ft. Saunders, with Lane giving chase.

Date: August 15, 1856

Ft. Saunders Falls Without A Shot Fired

Ft. Saunders is situated along Washington Creek and named after a villager who runs a corn crushing operation at the site.

Just prior to Lane's arrival, negotiations have been under way between a Pro-Slavery man, Colonel B.F. Treadwell, and a Free-Stater, Major D.S. Hoyt of Lawrence, regarding a possible cease fire.

But Treadwell is convinced that Hoyt is simply spying on the fort, and has him murdered on his way back to Lawrence. His body – reportedly mutilated – is found by Lane's men as they prepare to attack the fort.

The Pro-Slavery occupants of the fort are just about to enjoy a hot dinner when they learn of Lane's impending attack. Instead of trying to defend, they make their escape without firing a shot.

Lane responds by burning the fort to the ground.

Date: August 16, 1856

The Free State Forces Also Prevail At Ft. Titus

While Lane has been marauding south of Lawrence, his main force, purportedly 400 men strong, has traveled northwest from the capital toward Lecompton, a principal population center for the Missouri Ruffian settlers.

Leading this effort is Lane's second-in-command, Colonel Samuel Walker, a cabinet-maker by trade who joins the Free State militia after moving to Kansas in 1855.

Walker's objective is Ft. Titus, another of the log blockhouses used by the Ruffians to meet and to store weapons and supplies. Its proximity to Lecompton makes it much more important than either of the more southern forts, and its treasure includes over 400 muskets and \$10,000 in gold bullion.

The "fort" is the residence of the thirty-three year old "Colonel" Henry Titus, a colorful figure, formerly enrolled at West Point and then a member of Narciso Lopez's failed filibustering attempt to conquer Cuba in 1850. He becomes a sawmill operator in Florida, before moving to Kansas in April 1856, joining the Pro-Slavery militia, and participating in the sack of Lawrence.

On August 16, 1856, Titus encounters an advance unit of Walker's men heading toward the fort and engages them, losing one man killed in action. Clearly facing a much larger enemy force, Titus falls back to the fort for shelter, along with roughly twenty defenders.

A first uncoordinated attempt to rush the fort is repelled, with four Jayhawkers wounded and a Captain Shombre killed. Firing continues for about a half hour until Walker brings up the "Old Sacramento" cannon just recaptured at Ft. Franklin and aims it at the entrance to the fort. After seven cannon rounds are fired, a white flag is flown signaling surrender.

Colonel Titus suffers two wounds in the battle, while also losing two men killed and one other injured. The Free State losses include one death and six others who are wounded.

Walker's effort pays off with the treasure of weapons and gold, along with 17 prisoners. He then burns Ft. Titus and prepares to head north toward Leecompton.

Date: August 17-25, 1856

Governor Shannon Is Removed After Yet Another Attempt At A Truce



John Sedgwick (1813-1864 KIA)

With Lane's Brigade near the outskirts of Leecompton, Governor Shannon appears in Lawrence in a last ditch effort to forestall the threat to the Pro-Slavery populace.

As a powerful bargaining chip he brings with him Major John Sedgwick, twice breveted for heroic cavalry duty during the Mexican War and now a symbol of federal intervention in the Kansas conflicts.

The result is a flimsy truce agreement involving an exchange of prisoners captured by both sides in the recent battles, and an acknowledgment that the "Old Sacramento" cannon rightfully belongs to the Free Staters.

But Shannon's tenure in Kansas is up. His life is threatened by both sides, and President Pierce finally recognizes that he is the wrong man for the job. On August 21 notification arrives of his removal from office. His subsequent comments sum up his frustrations over the eleven months he has served:

Govern Kansas in 1855 and '56! You might as well attempt to govern the devil in hell.

With Shannon out of the picture, the role of Acting Governor returns to David Woodson for the fourth time. He is a Pro-Slavery man who has previously signed bills passed by the Bogus Legislature, and now he sees another chance to help the cause. He does so on August 25 by declaring that Kansas is in a "state of insurrection" and calling out the militia to restore order.

The Pro-Slavery newspaper, *Squatter Sovereign*, characterizes Woodson's proclamation as an invitation to the Border Ruffians to invade Kansas for the "third and last time:"

A crisis has arrived in the affairs of Kansas, and another week will tell a tale that will have an important bearing on the future fate of Kansas. It behooves every citizen to shoulder arms without any further delay... We have been slow to believe that anything like serious fighting would occur; but we are now fully convinced that a deadly struggle must ensue, and one or more hard battles transpire, before the abolitionists can be subdued. . . . Already the smouldering ruins of numerous dwellings, and the reeking blood of many a victim, cries aloud for vengeance.

The cry is heard and will be answered with tenfold retaliation. If there is one breast still unpenetrated by this call, we urge that it instantly become alive to the importance of the emergency. The want of a few men may turn the fortunes of war against us. Then let every man who can bear arms "be off to the wars again." Let this be the "third and last time." Let the watchword be "extermination, total and complete."

Key Events In Kansas During Wilson Shannon's Term As Governor

1855	Milestone
August 14-15	Free State Party founded at Big Springs convention
August 17	Governor Reeder removed from office
September 7	Wilson Shannon becomes Governor
November 11	Free State Party completes work on Topeka Constitution
November 21-27	Wakarusa War signal threat of violence to come
December 15	Voting passes Topeka Constitution and Black Exclusion clause
1856	
January 15	Free-Staters elect their own Governor and Legislature
January 24	Pierce declares the Topeka government invalid and revolutionary
March 4	James Lane in DC to request admission under Topeka documents
March 12	Douglas attacks Topeka and calls for starting over on "popsov"
March 17	Douglas proposes bill outlining a proper process to admit Kansas
March 19	Cong sets up "Kansas Investigation Committee"
April 9	Seward attacks Pierce; offers Topeka; SD balks; Lane challenges
April 18	Three man "Kansas Investigation Committee" arrives in Kans
April 19	Sheriff Samuel Jones shot in back in Lawrence, badly wounded
May 5	Judge Samuel Lecompte's arrest warrants for Reeder & Robinson
May 18-19	Sumner speech: "The Crime Against Kansas"
May 21	Pro-Slavers sack town of Lawrence
May 22	Sumner caned in Senate by Preston Brooks
May 24	Charles Robinson captured in Missouri and jailed in Lecompton
May 24-25	John Brown's massacre at Potawatomie
June 2-6	Democratic Convention chooses Buchanan
June 4	Battle of Black Jack
June 15	Northern Know-Nothings choose Banks, then Fremont
June 17-19	Republicans Choose Fremont
June 23	Toombs Bill is proposed in the Senate
June 30	House vote on statehood under Topeka Con – loses 106-105
July 1	Kansas Investigation Committee report read into the record
July 3	Senate passes Toombs Bill 33-12; House rejects it and votes 99-97 to admit Kansas; stalemate follows
July 4	Col. Edwin Sumner disbands Topeka (Free-State) legislature
August 15	Fort Saunders captured by Lane and Free-State men
August 16	Fort Titus burned by Lane and Free-State men
August 18	Congress recesses without any action on Kansas Gov. Shannon removed from office.
August 25	Acting Gov. Woodson declares Kansas Territory in open rebellion
August 30	Pro-Slavers defeat Brown at Battle of Osawatomie
September 9	John Geary begins his term as Governor

Date: August 26-30, 1856

The Pro-Slavery Militia Destroy The Town Of Osawatomie

The next blow in the cycle of violence is struck by the Pro-Slavery militia at the town of Osawatomie.

Osawatomie is settled in 1854 by members of the New England Emigrant Society. Among its residents are a couple living one mile to the west, the Reverend Samuel Adair and his wife, Florella, who is a half-sister of John Brown. Adair serves as pastor to the town's congregation, while Brown uses their house as a base for his paramilitary activities.

Along with Lawrence and Topeka, Osawatomie becomes a primary target for the Border Ruffians, who assemble a 1200 man force under the command of ex-Missouri Senator David Atchison and John Reid, a native of Virginia who served as a captain during the Mexican War.

A lead contingent, some 150 strong, approach Osawatomie around noon on August 26, where they are met by a Free State band numbering over one hundred. This results in a brief firefight, with the intruders fleeing and eleven prisoners captured in the skirmish.

But three days hence, the Ruffians are back, this time coming from the south with 300 men, and the knowledge that Brown's troops are up north conducting raids. On the morning of August 30, Brown's twenty-nine year old son, Frederick, has just left the Adair house when he encounters an enemy party led by an itinerant Baptist preacher, Reverend Martin Smith. Within seconds Smith shoots Frederick in the chest, killing him instantly. He will be the first of three Brown children to die as part of their father's crusade.

Samuel Adair hears the killshot, discovers the body some 200 yards from his front door, and sends a rider off east to warn the citizens of Osawatomie and to locate John Brown.

Brown and a small band of some thirty fighters race back toward town and set up a defense to the west along the south bank of the Marais des Cygnes ("Marsh of the Swans") River. They hold this position until John Reid brings up a cannon and fires grapeshot into their midst. Panic ensues, and the Free-Staters are forced to cross the river to save their lives.

Jason Brown wades across to safety along with his father, seen holding revolvers in both hands above his head, while his linen duster floats along in the water. A George Partridge is killed while swimming and six other men are taken prisoner.

Instead of chasing Brown, the Pro-Slavery troops head east into Osawatomie and wreak havoc there. All but three structures, those containing women and children, are destroyed. A Theron Parker is beaten to death, and a Charles Keisler is tried for treason and executed on the spot. After the marauders leave, John Brown returns. Looking at the ruins, he tells son Jason:

God sees it. I have only a short time to live – only one death to die, and I will die fighting for his cause. There will be no more peace in this land until slavery is done for. I will give them something else to do than extend slave territory. I will carry this war into Africa.

The Battle at Osawatomie will prove to be the last pitched conflict of the Kansas War before secession, owing to the firm hand of the next Governor, Colonel John Geary.

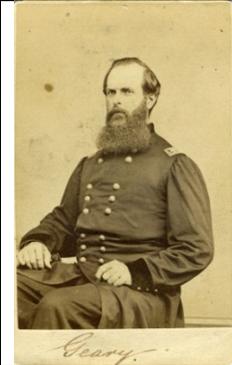
Sidebar: Recorded Battles In Kansas During 1856

Little reliable data exists on the casualties suffered in “Bloody Kansas” during the summer of 1856. A 1995 paper by Dale E. Watts identifies a total of 56 individuals by name who are killed, often in small raids. In most of the larger encounters, one side or the other has overwhelming strength of numbers, and the opponents flee or surrender. The chart below attempts to sum up what can be gleaned from various sources.

Significant Engagements in Bloody Kansas During The Summer Of 1856

Battles	Date	Free Staters	Pro-Slavers	Outcome
Lawrence	May 21	Defenseless	Marshal Sam Jones (700) David Atchison	Sack of Lawrence 1 K
Potawatomie	May 24-5	Cpt. John Brown (7) 4 of his sons	Defenseless	5 P-S men massacred
Black Jack	June 4	Cpt. John Brown (30) Cpt. Samuel Shore	Marshal H.C. Pate (30)	Pate surrenders 28 men captured
Ft. Franklin	August 12	Genl. James Lane (75)	Captain Ruckles (20)	2 K, 14 PS capture
Ft. Saunders	August 15	Genl. James Lane (75)	Col. WB Treadwell	PS men flee
Ft. Titus	August 16	Col. Sam Walker (400) Cpt. Shombre	Col. Henry Titus (25) Cpt William Donalson	3 K, 6 W 17 PS capture
Osawatomie	August 25	Cpt. John Brown (40) Frederick Brown	Col. John W. Reid (300) Rev. Martin White	5-10 K

Chapter 239 – Governor John Geary Quells The Open Warfare In Kansas



Dates:
September – March 1857

Sections:
• John Geary Assumes Command In The Territory

Date: September 9, 1856 – March 20, 1857

John Geary Assumes Command In The Territory



John White Geary (1819-1873)

John Geary takes over from Acting Governor Woodson on September 9, 1856, making his first public appearance at Lecompton on the tenth.

By happenstance, his arrival corresponds with the release of Charles Robinson, the Free State Governor, from the city jail. Robinson has been imprisoned there since May 24 on charges of treason, but is freed in a deal worked out between congressional Republicans and President Pierce.

Geary himself is an imposing figure, standing six foot six, weighing 260 lbs. and exhibiting confidence in his own capacity to command, with good cause.

He is a Pennsylvanian by birth, a college graduate in civil engineering and law, and a member of the state militia in 1846 when the Mexican War breaks out. Commissioned a Lt. Colonel in the 2nd Infantry regiment, he is with General Winfield Scott when U.S. troops attack Mexico City. On September 13, 1847 Geary achieves lasting fame by leading a successful assault on the Belen Gate at Chapultepec Castle, while suffering five wounds in action.

Geary moves west after the war and enters politics in California, becoming the first mayor of San Francisco during the turbulent gold rush frenzy. He turns down an offer as Governor of the Utah Territory, but agrees to go to Kansas in support of the Democratic Party and the election of his fellow Pennsylvanian, James Buchanan.

He is committed to the principle of “popular sovereignty” and to insuring that it is executed in a legal and even-handed fashion. He announces this is his first address to the welcoming crowd in Lecompton on September 10:

Men of the North – men of the South – of the East and the West, in Kansas, you, and you alone, have the remedy in your own hands. Will you not suspend fratricidal strife? Will you not cease to regard each other as enemies, and look upon one another as the children of a common mother, and come and reason together.

Behind Geary’s conciliatory words lie an iron fist. Unlike his political predecessors, he is a military man and, if needed, intends to use force to restore law and order in the territory. He disbands the overtly Pro-Slavery Kansas militia and gains support from General Persifor Smith, commander of federal troops at Ft. Leavenworth. He also contacts Mexican War General Sterling Price, sitting Governor of Missouri, who agrees to crack down on the Border Ruffians.

His first challenges come quickly. On September 14, a six hour skirmish matches Lane’s Brigade against a band of Atchison’s Kickapoo Rangers. The following day Geary becomes personally engaged when he rides toward Lawrence accompanied by federal troops and encounters a Pro-Slavery force preparing to once again assault the town. Geary backs them down immediately, saying they would first have to fight his army.

The prospect of facing U.S. troops led by Colonel John Geary sends both sides back to seeking victories on the political front.

With the Topeka legislature disbanded by Colonel Sumner on July 4, 1856, the “official” state government resides at Lecompton in the hands of Pro-Slavery men, who will soon discard their “Law and Order” label and associate themselves with the national Democratic Party.

On October 6, 1856 they oversee another vote to elect state officers, which is boycotted by the Free Staters – who, in turn, reconstitute their Topeka legislature on January 7, 1857.

Consistent with his pledge to be “politically impartial,” Geary irritates the Pro-Slavery side by vetoing legislation he finds improper. He also refuses to confirm William Sherrard, a particularly volatile native of Virginia, to succeed Samuel Jones as Sheriff of Douglas County, which includes the town of Lawrence. Sherrard is outraged, threatens to assassinate Geary, and fires his revolver at a hearing on February 18, 1857 to review his case. In turn he is shot and killed in the room by a Geary representative who happens to be at the meeting.

On the other hand, Free-Staters are inclined to also distrust Geary, believing that his support for the Democrats and Doughface Buchanan signals his underlying pro-slavery intentions. This is likely a misperception, since he does befriend Charles Robinson and tends to criticize the Lecompton tactics in his reports to Pierce.

Geary is clearly the right man for the job in Kansas, if only he can tolerate the incompetence he finds with the politicians in Washington.

Chapter 240 – The Hold-Out Whigs Hold Their Nominating Convention

	<p>Dates: September 17-18, 1856</p>	<p>Sections:</p> <ul style="list-style-type: none"> • The “Hold-Out Whigs” Back Millard Fillmore For President
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September 17-18, 1856

The “Hold-Out Whigs” Back Millard Fillmore For President



Millard Fillmore (1800-1874)

Three months have passed since the Republican convention when the “Hold-Out Whig” delegates come to Baltimore on September 17-18, 1856 to select their presidential nominee. They are some 150 strong, and represent twenty-six of the nation’s thirty-one states, across the North and South.

The group includes many prominent national politicians who seek a stable, peaceful government capable of preserving the Union. On March 10 they have formally rejected an offer to merge into the Republican Party.

The delegates share a fear that the growing North-South divide over slavery will end with a break-up of the Union and possibly even a civil war. They also believe that the Republican’s open hostility toward the South as a whole (not just the 350,000 slave-holders) will exacerbate this threat.

Most of the “hold-outs” come from the conservative wing of the old Whig Party, and they often express Know Nothing Party concerns over the dangers of Catholic immigrants who may owe their primary allegiance to a foreign power.

Many are also Fillmore men, among them his Secretary of State, Edward Everett of Massachusetts, his Attorney General, John J. Crittenden of Kentucky, John Bell of Tennessee, who attends the event, and Sam Houston of Texas -- the latter two being the only two Southern senators voting against the 1854 Kansas-Nebraska Act.

The Party platform they settle on is one page long and consists of eight resolutions, focused on their concerns over preserving the Union.

Resolved, That the Whigs of the United States are assembled here by reverence for the Constitution, and unalterable attachment to the National Union, and a fixed determination to do all in their power to preserve it for themselves and posterity

Resolved, That we regard with the deepest anxiety the present disordered condition of our national affairs. A portion of the country being ravaged by civil war and large sections of our population embittered by mutual recriminations, and we distinctly trace these calamities to the culpable neglect of duty by the present National Administration.

Resolved, That the Whigs of the United States have declared as a fundamental article of their political faith, the absolute necessity for avoiding geographical parties; that the danger so clearly discerned by the "Father of his Country," founded on geographical distinction, has now become fearfully apparent in the agitation convulsing the nation, which must be arrested at once if we would preserve our Constitutional Union from dismemberment,

Resolved, That the only remedy for an evil so appalling is to support the candidate pledged to neither geographical section nor arrayed in political antagonism, but holding both in just and equal regard; that we congratulate the friends of the Union that such a candidate exists in Millard Fillmore.

Resolved: That...we look to him... for his devotion to the Constitution in its true spirit, and his inflexibility in executing the laws; but, beyond all these attributes, of being representative of neither of the two sectional parties now struggling for political supremacy.

Resolved, That in the present exigency of political affairs, we...proclaim a conviction that the restoration of the Fillmore Presidency will furnish the best if not the only means of restoring peace.

With the platform approved, it takes one ballot for the delegates to select ex-President Millard Fillmore to head their ticket, with Andrew Jackson Donelson in the second slot. Together they hope to present the nation with a middle way, a New Yorker and a Tennessee man, a Northerner and a Southern slave-holder, a synthesis of Whig, Democrat and Know Nothing.

Time will tell that the core sentiments expressed at this convention will live on right up to the opening salvos of war at Ft. Sumter in April 1861. They are the pleas of men who consider themselves patriots, sons of the founders, defenders of the Constitution, and heirs of Andrew Jackson's devotion to one nation indivisible:

The Federal Union, It must be preserved.

It is Sam Houston who best captures the essence of what these "Whig Holdouts" stands for vis a vis the other party options:

The Whig party lives only in the memory of its great name...The Democracy has dwindled down to mere sectionalism...It has lost the principles of cohesion and boasts no longer a uniform policy...It too has shown a disposition to court an alien influence to sustain it, while it has declared and practiced relentless proscription against Native Born Americans citizens.

Of the Republicans I can only say that their platform and principles are sectional and I cannot conceive how any man loving this Union ...can support a ticket fraught with such disastrous consequences to the whole country.

A sense of duty... leads me to support... Fillmore and Donelson. They are good men, and I think the only men...who do most assuredly...claim the cordial support of...true hearted Americans, Democrats and Whigs. All faithful naturalized citizens, though of foreign birth, who cannot be controlled by any foreign influence, can come forward to their support as national men, capable and willing to support the Constitution and the Union.

Thus Fillmore and Donelson run as native born “national men,” intent on rising above sectionalism and maintaining the Union.