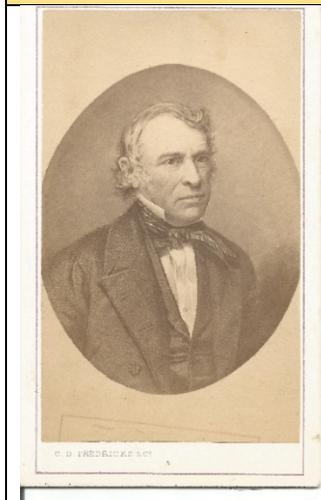


Chapter 181 – President Taylor Dies Suddenly



Dates:
July 4-9, 1850

Sections:

- Debate Over The Omnibus Bill Resumes In Congress
- The President Dies After An Independence Day Celebration

Date: Spring-Summer 1851

Debate Over The Omnibus Bill Resumes In Congress



Zachary Taylor (1784-1850)

Throughout the spring and early summer controversy continues to swirl around the various components of Clay's "Omnibus Bill" and the admission of California.

Abolitionist Thad Stevens continues to lampoon both the South for its treasonous threats of secession and the North for its timid defense of human liberty.

It is my purpose nowhere in these remarks to make personal reproaches; I entertain no ill-will toward any human being, nor any brute, that I know of, not even the [Democrat Ross] skunk across the way to which I referred.

Least of all would I reproach the South. I honor her courage and fidelity. Even in a bad, a wicked cause, she shows a united front. All her sons are faithful to the cause of human bondage, because it is their cause. But the North—the poor, timid, mercenary, driveling North—has no such united defenders of her cause, although it is the cause of human liberty ... She is offered up a sacrifice to propitiate southern tyranny—to conciliate southern treason.

In the Senate, Thomas Hart Benton suggests splitting Texas into two slave states to off-set California.

Others keep coming back to extending the 34'30" Missouri line west to the Pacific.

At the same time, Northerners begin to express outrage over the Fugitive Slave portion to the Omnibus Bill, which would enlist them in finding and returning run-aways.

Clay wishes to slow down the California admission as a bargaining chip; Taylor insists on going full speed ahead.

All sides are concerned that the old General will run out of patience and act rashly on bringing all the new territories into the Union.

Then the calculus changes abruptly.

Date: July 4-9, 1850

The President Dies After An Independence Day Celebration

On Wednesday, July 4, 1850, the 65 year old President faces a jam-packed schedule of Independence Day events, the centerpiece being an afternoon ceremony to lay the cornerstone for the pending Washington Monument.

This event drags on in the blistering heat, as Senator Foote delivers a two hour dedication speech.

From there Taylor continues to tour the city, feasting along the way on a smorgasbord of raw vegetables (cucumbers, cabbage and corn) followed by a jug of iced milk and a large bowl of cherries.

Suddenly he is struck by stomach cramps which turn into a severe case of diarrhea.

By Saturday his condition is substantially worse and White House doctors ratchet up their aggressive treatments to “void the toxins” attacking the President’s body.

Leeches are applied to draw off tainted blood. A mercury chloride compound called calomel, later found to be poisonous, is ingested to induce vomiting. Painful blisters are raised to draw out internal impurities.

Instead of helping Taylor recover, these “treatments” only prove to weaken his natural defenses.

On Sunday he slips even further and remarks on his possible death, which comes two days later, on Tuesday, July 9. The official cause is listed as gastroenteritis.

In passing, the often beleaguered President returns to his standing as a national hero.

He is given an elaborate military funeral, orchestrated by General Winfield Scott, another Mexican War hero, who travels the procession alongside Taylor’s horse, “Old Whitey,” riderless, with boots reversed in the stirrups. Senator Benton eulogizes the dead leader in glowing terms.

His death was a public calamity. No man could have been more devoted to the Union or more opposed to the slavery agitation, and his position as a Southern man and a slave-holder, his military reputation and his election...(gave) him power in the settlement of these questions which no (other) President...would have possessed.

Speculation surrounds Taylor’s sudden death, especially among the Whigs, who have just seen their second President taken from them early in his term.

Was it a simple case of Taylor “shocking his system,” getting overheated during the events, then ingesting foods that overwhelmed his digestive tract? Or was he instead poisoned by a Southerner who regarded him as a traitor to the cause of slavery? The mere suggestion of such an act reflects on the growing intensity of the sectional divide over slavery.

Either way, the task of holding the nation together now devolves upon Taylor’s Vice-President, Millard Fillmore.

Sidebar: What Killed Zachary Taylor?

Inquiries into the cause of Taylor’s death persist to the present day – the most provocative theory being that he fell victim to arsenic poisoning, given his symptoms at the time.

The leading proponent here being one Professor Clara Rising who eventually convinces Taylor’s closest living relative to have his body exhumed and tested for the substance, after efforts to locate and test a proven sample of his hair fail.

On June 17, 1991, authorities exhume the General’s body from its resting place in Louisville, Kentucky, and literally power saw their way through a metal sarcophagus to access his remains.

Samples of hair, bone and teeth are gathered by the state’s Medical Examiner and sent to three independent labs to search for the presence of arsenic, using the latest technological advances.

While very small amounts of arsenic are found, the concentrations are commonplace for humans, and far too slight to be fatal. Instead the conclusion reached is that Taylor died of natural causes:

[Though] the symptoms which he exhibited and the rapidity of his death are clearly consistent with acute arsenic poisoning, it is my opinion that Zachary Taylor died as the result of one of a myriad of natural diseases which would have produced the symptoms of gastroenteritis. Final Opinion: The manner of death is natural.

But another less sinister, albeit no less fascinating, theory is that Taylor, like two of his predecessors, William Henry Harrison and James Polk, was the victim of tainted water fed into the White House from a nearby spring contaminated with salmonella bacteria.

At the time, the city of Washington lacks basic sanitation preventing human waste in the Potomac River from seeping into fresh water wells and causing typhoid fever – with its symptoms of severe diarrhea shared by all three Presidents while in office.

The younger Polk survives his bouts, but perhaps the two considerably older Whigs are not so fortunate in the end.

Chapter 182 – Millard Fillmore Becomes 13th President



Dates:
July 1850

Sections:

- Personal Profile: Millard Fillmore
- Fillmore Names His Cabinet
- Overview Of Fillmore's Term

Personal Profile: Millard Fillmore



Millard Fillmore (1800-1874) Decked Out As A New York Militia Man.

Millard Fillmore, America's second "accidental President," ascends to his thirty months in high office with unremarkable political credentials.

He has been defeated for Governor of New York in 1844, never elected to a Senate seat or chosen for a cabinet secretary. His inclusion on the 1848 ticket is merely a sop to Northerners troubled by Taylor's plantation owner status and thin Whig party connections.

Most view him as a "riser," insecure, obsequious, prone to blow with the wind to advance his career.

He is born in Moravia, N.Y. in 1800 and given his mother's maiden name, Millard. His family lives hand-to-mouth on a rental farm, worked by his parents and nine children. His formal education is negligible and at age 14, his father sends him off to apprentice in the cloth-making trade. But he is soon reading law, guided by a local judge. In 1821, he moves to Buffalo, four years before it becomes a boom town as terminus of the 363 mile Erie Canal, linking it with Albany. Fillmore passes the bar in 1823, marries his schoolteacher bride, and builds a

successful law firm dealing with the influx of people and cases that accompany the new Canal. He also expands his horizons – serving as a Major in the N.Y. State Militia, and being elected to the State Assembly on Thurlow Weed's Anti-Masonic Party ticket.

In 1832 he wins a seat in the U.S. House as a National Republican, and later serves three more terms, from 1837 to 1843, as a Whig. His aspirations slip when he suffers a narrow loss to Silas Wright in the 1844 race for NY Governor – but his reputation rebounds four year later when he overhauls banking industry practices as State Comptroller. At the 1848 Philadelphia convention, he slips on to the ticket with

a second ballot victory over Abbot Lawrence of Massachusetts, who is “vetoed” by Dan Webster for supporting Clay, and Henry Seward, whose anti-slavery views are too extreme for many delegates.

Fillmore’s own views on slavery will mark him as a “Doughface” Northerner – eager to follow up words of moral criticism with assurances of inaction against the South’s institution.

God knows that I detest slavery, but it is an existing evil, for which we are not responsible, and we must endure it, and give it such protection as is guaranteed by the constitution, till we can get rid of it without destroying the last hope of free government in the world.

On July 10, 1850, he is sworn into office by William Cranch, Chief Judge of the U.S. Circuit Court in D.C., who earlier performed the same duty when John Tyler succeeded the fallen Harrison.

Like Tyler, Fillmore does not immediately deliver an Inaugural address.

Date: July 1850

Fillmore Names His Cabinet

After taking the oath, the new President receives pro-forma resignations from Taylor’s entire cabinet, each of whom expects to be retained. Fillmore, however, feels that these men have systematically excluded him from the White House inner circle, and he takes the rash action of dismissing them all.

When he asks them to stay on until replacements are found, they refuse – and thus he is left scrambling to staff his new government. His picks are uneven, and generally tilted toward seeking whatever compromises with the South are needed to avoid conflict.

The key post of Secretary of State goes to Daniel Webster, a long time Whig leader on the national stage, but now severely weakened across the North by his stand in favor of the Fugitive Slave portion of the 1850 Omnibus Bill. In accepting the post, Webster has his eye on the 1852 presidential nomination, and he signs on only after several Boston supporters agree to supplement his regular government salary.

The Treasury falls to Senator Tom Corwin of Ohio, an outspoken critic of the Mexican War and supporter of higher tariffs to fund Whig infrastructure spending.

Fillmore’s military-related appointees are particularly troublesome.

His first three choices for Secretary of War turn him down, and it isn’t until September that he finally settles on Louisiana Congressman William Conrad, survivor of an earlier fatal duel and later a leader of the secession movement in his home state.

The Navy post goes to William Graham, the Governor of North Carolina, who likewise will abandon the Union to serve in the Confederate senate.

The President nearly begs a reluctant Thomas McKennan to oversee Indian affairs as Secretary of the Interior, and he then resigns after ten days in the job. He is succeeded by the Virginian, Alexander Stuart, who serves with competence and loyalty.

Finally the strong Unionist and Whig Party leader John J. Crittenden returns to the Attorney General position he held under William Henry Harrison while Fillmore’s close confidant and former Buffalo law partner, Nathan Hall, is named to the “spoils-laden” job as Postmaster General.

Millard Fillmore’s Cabinet

Position	Name	Home State
Secretary of State	Daniel Webster	Massachusetts
Secretary of Treasury	Thomas Corwin	Ohio
Secretary of War	Charles Conrad	Louisiana
Attorney General	John J. Crittenden	Kentucky
Secretary of Navy	William Graham	North Carolina
Postmaster General	Nathan Hall	New York
Secretary of Interior	Thomas McKennan	Pennsylvania

Date: July 1850 to March 1853

Overview Of Fillmore’s Term

During the twenty-one months of Taylor’s term he serves out, Millard Fillmore will capitulate endlessly to the interests of the South – thus precipitating the death knell of the Whig Party.

This begins with his support for the 1850 Compromise Bill put together by the Democrat, Stephen Douglas, which discards Taylor’s intent to impose the “Wilmot ban” on slavery across the west – and instead allows owners to bring their “property” into any new territory of their choosing. This same bill institutes a new Fugitive Slave Act which puts blacks everywhere at risk of being arrested by bounty hunters, tried without due process, and returned to bondage. It also requires that northerners actively participate in these captures or face fines and jail.

The 1850 Bill is a near total sop to the South, and immediately alienates voters who elected Taylor in the 1848 election.

On the other hand, Fillmore does at least try to pass some traditional Whig legislation, unlike the former “accidental President,” John Tyler.

This includes maintaining a sufficient tariff to fund the government, and plowing revenues back into a host of “infrastructure advances” to support economic growth. He proposes improved harbors and more canals, including one in Central America connecting the Gulf of Mexico to the Pacific Ocean. He is also an early proponent of a transcontinental railroad, and, to his credit, sponsors several initiatives to broaden American trade in the Far East. Of note here is Admiral Matthew Perry’s expedition to Japan, launched in November 1852.

The national economy registers sharp gains during Fillmore’s tenure, largely in response to the California gold rush and the general stimulus it provides.

Key Economic Overview

	1848	1849	1850	1851	1852
Total GDP (\$000)	\$2,400	2,419	2,581	2,724	3,066
% Change	+1%	+1	+7	+6	+12
Per Capita GDP	\$111	108	111	113	123
President	Polk	Taylor	Taylor	Fillmore	Fillmore

But Fillmore’s presidency is consumed by sectional animus on the slave issue.

The first blows come from Northern resistance to the Fugitive Slave Act. In February 1851 protestors mob a Boston courthouse to free a runaway named Shadrach Minkins. When a second slave, Thomas Sims, is captured, Fillmore draws fire for sending in federal troops to escort him to Boston harbor for a return trip to Georgia.

In June 1851 public sympathy for the run-aways is further heightened by the publication of Harriet Beecher Stowe’s *Uncle Tom’s Cabin*.

This is followed by Fillmore’s embarrassing attempt to curry favor in the South by demanding that a group harboring fugitives in the town of Christiana, Pennsylvania be charged with the high crime of treason. After withering criticism of the government’s case from both the defense and the presiding judge, the jury brings in an acquittal verdict in fifteen minutes. (This remains the largest treason trial ever brought in America.)

Another slavery-related set-back materializes when the President fails to stop another attempt by the filibusterer Narciso Lopez to invade and conquer Cuba in a plan backed by Governor John Quitman of Mississippi. After Lopez and fifty Americans are captured and executed, he pays Cuba for the release of other raiders, but then simply releases them without prosecution.

As his term nears an end, Fillmore at first appears to back away from a re-election run in favor of Daniel Webster, his own Secretary of State. But since he is well aware that Webster is critically ill, this “deference” is merely a ploy intended to sit well with New England Whigs. At the June 1852 convention he campaigns hard for the nomination, with a strong base of support from the South for his track record as a “doughface.” He remains neck and neck against his chief rival, General Winfield Scott, before falling short on the forty-first ballot.

Once he leaves office, two tragedies befall him within the first year, the loss of his wife, and of his twenty-two year old daughter.

In 1855 he embarks on a grand world tour, before returning home to participate in the 1856 race as presidential candidate of the momentarily vibrant Know Nothing Party, whose slogan is “Americans must rule America.” This fits with Fillmore’s lifelong animus toward any groups he regards as deviant, from his early attacks on the Free Masons to his later diatribes against the Irish and German Catholic immigrants.

His message during the campaign that “foreigners are corrupting the ballot box” garners a credible 875,000 votes (13% of the total), and he carries one state, Maryland.

After the loss he returns to home town adoration in Buffalo, marries a wealthy widow, and continues his role in the city university he began. As the Civil War approaches, he backs the Constitutional Union Party and blames Lincoln for antagonizing the South. In 1864 he supports the “Truce Now” Democrat, George McClellan.

After suffering two strokes, Fillmore dies in March 1874 at seventy-four years old.

Key Events: Fillmore’s Term

July 9	Taylor dies suddenly & Fillmore becomes president
July 12	Texas demands that its border claims to New Mexico land be approved by Washington
July 22	Clay’s attempt to pass the Omnibus Bill fails in congress
August	Voting begins in mid-term House & Senate races (extends to Nov. 1851)
Sept 9-12	Stephen Douglas drives passage of 1850 Compromise, including Fugitive Slave Act
Sept 20	Douglas land grant bill to support Chicago to Mobile railroad is approved
Sept 27	Conservative NY Whigs break w Seward & back Fillmore’s support for Compromise
Oct 21	Chicago city council refuses to support Fugitive Slave Act
October	James Hamlet, first runaway slave arrested, is freed by money raised to buy his freedom
Nov 11-18	Southerners meet in Nashville and discuss secession
Dec 13-14	Georgia state convention decides it will secede if North fails to follow 1850 Comp.
December	Runaways Ellen and William Craft escape from Boston to England
Year	Immigration passes the 400,000 mark for the first time in American history
1851	
Jan 15	John Brown organizes League of Gileadites with blacks in Springfield, Mass
Feb 15	Shadrach Minkins rescued from Boston jail by those protesting Fugitive Slave law
April 4	Thomas Sims captured in Boston setting off further anti-Fugitive Slave Law protests
April 25	Fillmore again warns against Southern filibustering directed at Cuba
May 19	Train line connecting New York City to Dunkirk, NY (483 miles) is completed
June 2	State of Maine passes bill prohibiting the sale of alcohol
June 5	<i>Uncle Tom’s Cabin</i> chapters begin to appear in the anti-slavery <i>National Era</i> paper
July 23	Sioux turn over lands in Iowa & Minnesota in Treaty of Traverse des Sioux
Aug 3	Narciso Lopez leads second invasion of Cuba, which fails by Aug 16
Sept 18	First issue of <i>NY Daily Times</i> (later <i>NY Times</i>) started by Henry J. Raymond
Oct 22	Fillmore warns against those who wish to conquer all of Mexico
Dec 1	Whigs lose 22 seats in the House to Democrats & the heavily southern Unionist Party

Dec 11	Fillmore embarrassed by Christiana treason trial which ends with acquittals
Dec 5	Hungarian revolutionary visits U.S. to cheers
Year	Melville publishes <i>Moby Dick</i>
1852	
Jan	<i>Democratic Review</i> publishes articles on the Young Americans movement & S. Douglas
Feb 20	Chicago terminal opens for trains coming from the east
March	Complete book of <i>Uncle Tom's Cabin</i> is published in Boston
Spring	<i>The Pro-Slavery Argument</i> responds to ongoing criticism
June 1-6	Democratic Convention nominates Franklin Pierce on 49 th ballot; King as VP
June 16-21	Whigs nominate Winfield Scott on 53 rd ballot; Graham for VP; support 1850 Comp.
June 29	Henry Clay dies
July 5	Fred Douglass speech: <i>What To The Slave Is The Fourth Of July?</i>
Aug 11	Free Soil Party nominate John P. Hale; Julien as VP; oppose 1850 Comp & slavery
Aug 24	First stage play of <i>Uncle Tom's Cabin</i>
October 24	Daniel Webster dies
Oct 26	Senator Charles Sumner introduces a bill to repeal the Fugitive Slave Act
Nov 2	Franklin Pierce elected as 14 th President
Nov 13	In <i>Lemon v New York</i> , slaves brought into the Free State of NY are declared free
Nov 24	Commander Matthew Perry begins voyage to Japan
December	Many Whigs and Free Soilers drift to new Know Nothing Party
Year	<i>The Pro-Slavery Argument</i> published in the south
1853	
March 2	Washington Territory created out of northern Oregon
March 4	\$150,000 appropriation for the army to explore transcontinental railroad routes
March 4	Franklin Pierce inaugurated

Chapter 183 – Texas Immediately Tests The New President’s Backbone



Dates:
July-August, 1850

Sections:

- Texas Wants To Extend Its Borders Into New Mexico

Date: July-August 1850

Texas Wants To Extend Its Borders Into New Mexico



Map Showing Santa Fe Which Texans Attempt To Claim As Their Land

Within a few days of taking office and dismissing Taylor’s cabinet, Texas decides to challenge the new President.

They do so by a demand from Governor Peter Bell to extend the boundary of his state west to the city of Santa Fe in the New Mexico Territory.

Given that Texas is a designated “Slave State,” this would extend the institution even further to the west.

This demand is not new.

Former President Taylor’s response to it has been unequivocal -- including a promise to personally lead U.S. troops against any Texas incursions, and, if they occur, to call for the immediate admission of New Mexico as a Free State.

Fillmore’s response is to vacillate.

At first he orders 750 more soldiers to the border as an apparent show of strength. From there he backpedals, evidently for fear of losing support in the South.

He begins by blocking the attempt by New Mexico to apply immediately for statehood, knowing that the settlers there are signaling their intention to become a “Free State.”

He then supports a bill to set up a commission to study the boundary lines – rather than act upon them as proposed in Clay’s Omnibus Bill.

With every hesitation here aimed at appeasing the Texans and the South, Fillmore contributes to the steady unraveling of Clay’s attempted compromise.

Chapter 184 – Douglas Drives His 1850 Compromise Bills Through Congress

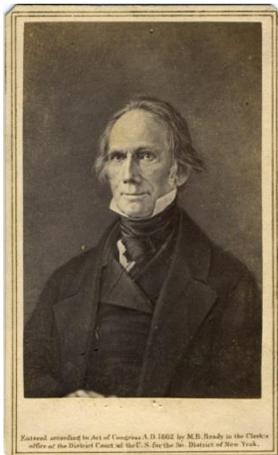


Dates:
July – September 1850

- Sections:**
- Clay Dire Warning Fails To Pass His Omnibus Bill
 - Douglas Recasts The Bill To Gain Southern Support
 - Douglas Drives The Measure Through Congress In Pieces
 - Net Effects of the 1850 Compromise

Date: July 22, 1850

Clay’s Dire Warning Fails To Pass His Omnibus Bill



Henry Clay (1777-1852)

Henry Clay makes a final attempt to pass his Omnibus Bill on July 22, 1850, in a speech to the Senate.

His words are highly charged and stark. They represent a warning to Northerners who wish to admit California immediately as a Free State and also outlaw slavery in the remainder of the Mexican Cession territories. The result, according to Clay, will be a sense of betrayal across the South, leading on to violence, secession and war.

As owner of the Ashland plantation and some sixty slaves, Clay understands the dire economic implications for the South of a totally “Free State” outcome in the west – and he begins his address in this vein. Preserving the Union requires preserving “fraternal commercial ties” between the North and the South.

There are two descriptions of ties which bind this Union and this glorious people together. One is the political bond and tie which connects them, and the other is the fraternal commercial tie which binds them together. I want to see them both preserved.

These economic ties will be broken if all the Senate does right now is to admit California as a free state. The likely response will find the Southern states (and perhaps Missouri) sending an army into the New Mexico Territory, to make it a part of Texas and to institutionalize slavery.

Before the autumn arrives, troops may be on their march from Texas to take possession of the disputed Territory of New Mexico, which she believes to belong to herself.

Is this not a danger which should make us pause and reflect, before we leave this capitol without providing against such a perilous emergency?

Let blood be once spilled in the conflict between the troops of Texas and those of the United States, and thousands of gallant men will fly from all the slaveholding States, to sustain and succor the power of Texas, and to preserve her in possession of that in which they, as well as she, feel so deep an interest.

Once blood is spilled in New Mexico, he feels the South will be led “by a patriotic zeal to defend itself against Northern aggression.” Without the Omnibus Bill, the outcome will be secession and war.

For, sir the admission of California alone, under all circumstances of the time, with the Wilmot proviso still suspended over the heads of the South, with the abolition of slavery still threatened in the District of Columbia... the act of the admission of California, without provision for the settlement of the Texas boundary question, without the other portions of this bill, will aggravate, and embitter, and enrage the South, and make them rush on furiously and blindly, animated, as they believe, by a patriotic zeal to defend themselves against northern aggression

I call upon you, then, and I call upon the Senate, in the name of the country, never to separate from this capitol, without settling all these questions, leaving nothing to disturb the general peace and repose of the country.

Among those standing in the way of compromise are the Abolitionists, like John Hale, whose “vocation” rests on creating agitation around slavery.

There is not an abolitionist in the United States that I know of that is not opposed to this bill. And why are they opposed to it? They see their doom as certain as there is a God in heaven who sends His providential dispensations to calm the threatening storm and to tranquillize agitated man. As certain as that God exists in heaven, your business [turning toward Mr. Hale], your vocation is gone.

If war begins, Clay believes the outcomes will be unknown and likely to differ from the hopes on either side.

If there should be a war...history teaches, that the end of war is never seen in the beginning of war, and that few wars which mankind have waged among themselves, have ever terminated in the accomplishment of the objects for which they were commenced.

Instead of war, he says the “nation wants repose” and that passage of his bill will represent a “re-union of this Union,” the same return to tranquility which followed the 1820 Missouri resolution.

The nation wants repose. It entreats you to give it peace and tranquility. If you adopt the measures under consideration, they, too, will be followed by the same amount of contentment, satisfaction, peace, and tranquility which ensued after the Missouri compromise. I believe from the bottom of my soul, that the measure is the re-union of this Union. I believe that it is the dove of peace, which, taking its aerial flight from the dome of the capitol, carries the glad tidings of assured peace and restored harmony to all the remotest extremities of this distracted land.

In conclusion, Clay begs his fellow senators not to “go home doing nothing.” To do so would be to risk being “condemned by our own consciences, constituents and country.”

Let me, Mr. President, in conclusion, say that the most disastrous consequences would occur, in my opinion, were we to go home, doing nothing to satisfy and tranquillize the country upon these great questions.

Sir, we shall stand condemned by all human judgment below, and of that above it is not for me to speak. We shall stand condemned in our own consciences, by our own constituents, and by our own country.

Let us go to the fountains of unadulterated patriotism, and, performing a solemn lustration, return divested of all selfish, sinister, and sordid impurities, and think alone of our God, our country, our conscience, and our glorious Union. These are my sentiments.

This July 22, 1850 address represents the seventy-three year old Clay’s last best effort to intervene once again in the “slavery question” – and to assert his leadership position within his beloved Whig Party.

But his effort ends in failure on both counts.

The forces lined up against him are too formidable this time. They include a wide swath of Southerners, from the Fire-Eaters of South Carolina to the generally more moderate senators like Jefferson Davis of Mississippi and John Berrien of Georgia. Opposition in the North comes not only from Abolitionists like Hale and Chase, but also from other anti-slavery men, including Henry Seward.

Finally, Clay runs up against Millard Fillmore. Unlike the decisive Taylor who supported Clay’s bill, Fillmore remains cowed by Southern demands and by any possible challenges to his hoped-for leadership of the Whig Party.

On July 31, Senate Bill 225 makes its final appearance on the floor. It faces one amendment after another and a string of very close votes on each. In the end, however, a thoroughly exhausted Henry Clay admits defeat and heads home to Lexington, even though the 31st congress remains in session.

Date: August 1850

Douglas Recasts The Bill To Gain Southern Support



STEPHEN A. DOUGLASS.
Stephen Douglas (1813-1861)

Clay’s departure does not end the need for some resolution in Congress over the admission of California and the search for “off-sets” that are tolerable to the South.

Absent leadership from the Whig President, the Democrat Stephen Douglas steps into the void.

In working with Clay to create the Omnibus Bill, Douglas notices that while slim majorities of Senators favor individual elements within the act, very few sign on for the totality.

Like all accomplished politicians, the pugnacious Douglas is a savvy vote-counter and tactician. He quickly articulates why Clay’s bill has been defeated.

I regret it very much, although I must say that I never had very strong hopes of its passage. By combining the measures into one bill the Compromise united the opponents of each measure instead of securing the friends of each.

On August 1, one day after Clay departs for Kentucky, Douglass tears the Omnibus Bill into five separate parts, and calls upon the “friends of each” to create majorities

Five days later, Fillmore further muddies the water by telling congress that the federal government “has no power or authority” to impose boundary lines in this case absent consent from the Texans – a conclusion that totally astonishes most members, and convinces Northerners that the new President is a Doughface, eager to pander to Southern interests.

With Douglas in charge, what started out as a Whig-driven now morphs into one shaped by the Democrats.

Date: August 9- September 20, 1850

Douglas Drives The Measure Through Congress In Pieces

Despite Southern wishes, Douglas cannot guarantee that more “slave states” will materialize in the west. He can, however, derail Taylor’s wish to immediately pass a Wilmot-like ban, and stall Northern momentum toward this objective. He begins to execute his strategy by focusing on Texas.

On August 9, the Senate approves the Texas Boundary Act. It is an outright triumph for the Texans, who have cowed Fillmore into believing they would go to war against federal troops over their border claims. The bill extends the Texans western border to include some 70,000 square miles of land Taylor had assigned to New Mexico (albeit not Santa Fe) and transfers \$10 million of the state’s accumulated debts to the federal coffers.

Douglas follows on August 13 by deeding the North its solitary victory, with the admission of California as a free state. This follows defeat of Southern efforts to split the state in two by extending the 1820 Missouri Compromise line to the Pacific.

Next comes the crucial issue of how to handle slavery in the New Mexico and Utah Territories.

Taylor clearly wanted a ban on slavery in both, and the residents of New Mexico have already signaled their wish to become a “Free State” in early constitutional voting. But neither Douglass nor Fillmore intend to risk potential southern support in the 1852 election by such a ban.

Instead Douglas convinces his colleagues to simply freeze both in limbo status for the time being, until a “popular sovereignty” vote can be taken. On August 15, the Senate approves a bill which does just that.

The result being that slavery is momentarily made “legal” across the two new territories – even north of the sacred 36°30’ Missouri Compromise line!

This is the first of two major “give ups” to the South by Douglass, later followed by the 1854 Kansas-Nebraska Act which eventually provokes the Civil War. But Fillmore and Douglass are not yet done with their mutual concessions.

What comes next is an updated version of the 1793 Fugitive Slave Act, intended to force Northern authorities to take an active role in identifying and returning all run-away slaves in their midst, or suffer heavy duty fines. All 25 Southern senators support the bill, while only three of the fifteen Northerners who “take the vote” agree. From the moment this act goes into effect, it provokes a deepening hostility toward the South, especially in New England.

Finally, on September 20, the initiative to totally ban slavery in the District of Columbia is defeated in favor of a lesser measure to curtail slave trading. But even this is watered down, since it applies only to new slaves brought into DC from outside, while still allowing private sales of those already there.

This is significant to the South in that it again signals the unwillingness of politicians to abolish slavery where it has been entrenched – even though, in federally controlled DC, it has the power under the Constitution to do so.

All votes on these bills are heavily skewed in the Senate along regional lines.

Vote Counts On The 1850 Compromise Bills – In The Senate

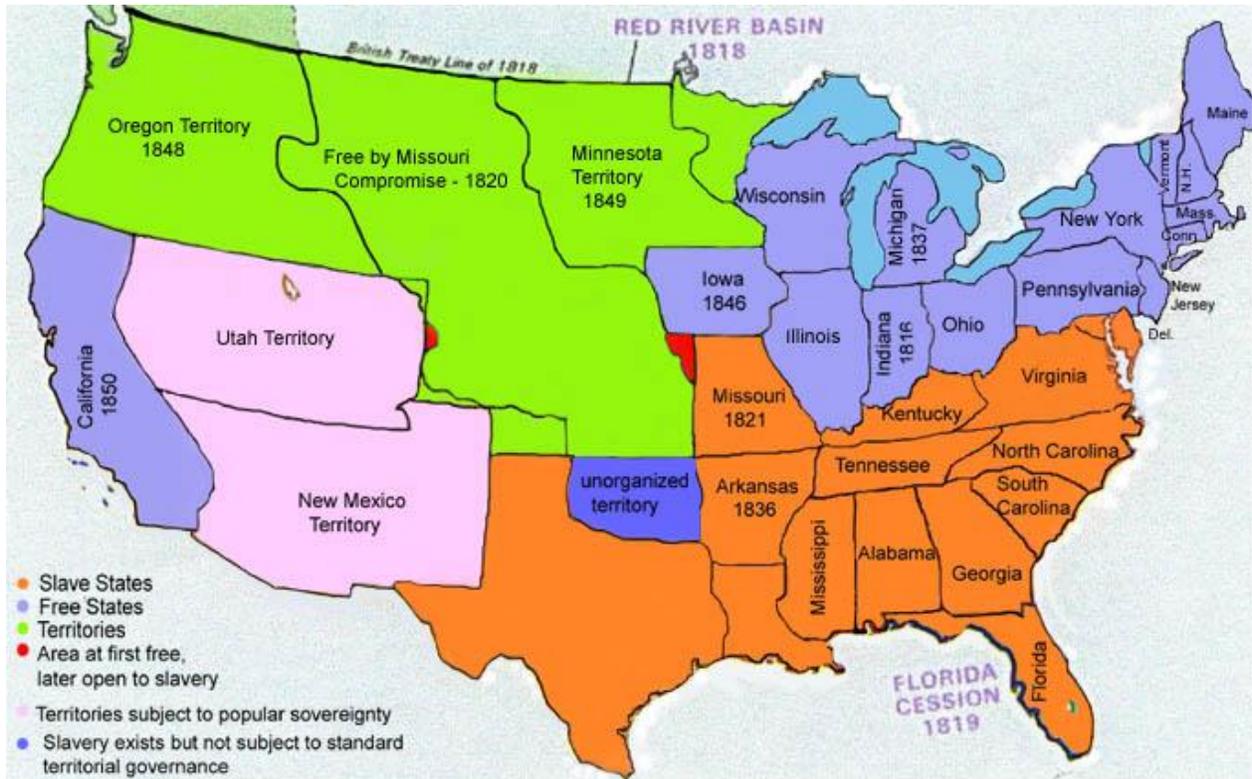
Northerners	Texas Border	California	New Mexico/Utah	DC Slave Trade	Fugitive Slave
Yea	18	21	11	21	3
Nay	8	0	10	0	12
Southerners					
Yea	12	6	16	6	25
Nay	12	18	0	19	0

David Potter. The Impending Crisis: 1848-1861

By September 20 President Fillmore has signed all five acts and the Compromise of 1850 becomes the law of the land.

Date: 1850

Net Effects of the 1850 Compromise



Compromise of 1850: California added as free, Southwestern territories settlers to decide

Adapted from "Slavery in the Territories" Mapping America's Past by Marc C. Carnes and John A. Garraty (New York: Henry Holt and Co., 1996), 104

A little over one year has passed since President Taylor shocked the South by supporting immediate statehood for California and New Mexico, and promising not to veto a Wilmot Bill if it reached his desk.

In the interim, the South has threatened secession, Taylor has died, Fillmore has vacillated, Clay's attempts at an all-in-one bill have failed, and Douglas has stepped in to secure the final 1850 Compromise.

Those who favor the 1850 Bills – mainstream Democrats and Southern Whigs – feel that the trade-offs agreed to should resolve the sectional tensions.

But their optimism is by no means shared by other factions.

The Fire-Eater southern Democrats feel that their basic Constitutional rights are still not being protected against threats from the North. California's admittance creates a 16-15 edge in the Senate for the "Free States" – and future "pop sov" votes in New Mexico and Utah may go against the spread of slavery to the west. Indeed even Douglas is secretly convinced that future voting will go against the South.

Northern Whigs absolutely detest the Fugitive Slave Act, with the prospect of being forced to cooperate with Southern “agents” in capturing runaways.

The schizophrenic Free Soilers are likewise disappointed. The abolitionist wing fails to get the ban on slavery it wanted; the white supremacist Wilmot men have no guarantees that all Africans will be kept out of the west.

While tensions remain, there can be no doubt that the South emerges with the much better end of the deal. Taylor’s plan to admit New Mexico and Utah as Free States (along with California) is stalled. Slave holders are allowed to bring “their property” into the western territories and settle down. Requirements to capture and return run-aways to the North are stiffened. Texas is granted a large chunk of New Mexico’s land, along with \$10 million to pay its debts. The effort to abolish slavery in DC fails, and it becomes clear that, when pushed, Millard Fillmore will give in to pressure from the South.

The North, meanwhile, gets very little. Before the bill, pressures related to the gold rush already made California a shoe-in to join the Union as a Free State. So the only incremental gain lies in a small symbolic agreement to curtail slave trading in DC. But this is a far cry for the Wilmot and anti-slavery Northerners from a complete ban on slavery in the west.

Factions Supporting Or Opposing 1850 Compromise

Democrats	Votes	Rationale
Mainstream	Favor	Support popular sovereignty & holding Southerners in the party
Fire-Eater South	Oppose	Feel that the Constitutional rights of the South are violated
Whigs		
Southern	Favor	Avoids outright ban on slavery in west favored by Taylor
Northern	Oppose	Give-away to South especially the Fugitive Slave Law
Free Soilers		
Anti-slavery men	Oppose	Fails to ban slavery & threatens all runaways
White supremacy	Oppose	No guarantees against blacks on what should be white soil

Thus almost before the ink is dry on the Compromise of 1850 both sides are bemoaning the results.

Like the original 1797 Northwest Ordinance, Henry Clay’s 1820 Missouri Compromise at least gave the nation concrete boundary lines designating where slavery would and would not be permitted, as related to the Louisiana lands.

The 1850 Bill from Douglas and Fillmore fails to achieve comparable clarity – and, as such, the issue simply continues to fester.

Chapter 185 – Fillmore Offers A “Delayed Inaugural Address” To Congress



Dates:
December 2, 1850

Sections:

- The New President’s Annual Address To Congress Lays Out His Goals

Date: December 2, 1850

The New President’s Annual Address To Congress Lays Out His Goals



Millard Fillmore (1800-1874)

With hope that the 1850 Compromise bills have resolved the crises over slavery in the west, a more confident Fillmore decides to use his annual message to Congress as the inaugural speech he was never afforded. The document is extremely long, with dispassionate rhetoric befitting Fillmore’s history as NY comptroller. That aside, it does identify a laundry list of things he hopes to accomplish, several forward-looking in character.

He begins the address by asking for indulgence to explain his “sentiments” about government – given his missed opportunity to do so after Taylor’s sudden death.

Being suddenly called in the midst of the last session of Congress by a painful dispensation of Divine Providence...I contented myself with such communications to the Legislature as...the moment seemed to require. I trust, therefore, that it may not be deemed inappropriate if I (now) avail myself to ...make known my sentiments in a general manner in regard to the ...intercourse with foreign nations and management and administration of internal affairs.

Like his predecessors, he promises to seek friendly relations with foreign powers and avoid entanglements in conflicts.

We should act toward other nations as we wish them to act toward us... to maintain a strict neutrality in foreign wars, to cultivate friendly relations, to reciprocate every noble and generous act, and to perform punctually and scrupulously every treaty obligation—these are the duties which we owe to other states...

On domestic affairs, he is likewise formulaic in his commitment to following the Constitution, faithfully executing all laws, and selecting appointees who will act on behalf of the people.

In our domestic policy the Constitution will be my guide... I deem it my first duty not to question its wisdom, add to its provisions, evade its requirements, or nullify its commands. The Government of the United States is a limited Government... The beauty of our system of government consists, and its safety and durability must consist, in avoiding mutual collisions and encroachments.... I shall at all times and in all places take care that the laws be faithfully executed.

The appointing power is one of the most delicate with which the Executive is invested. I regard it as a sacred trust, to be exercised with the sole view of advancing the prosperity and happiness of the people.

With that boilerplate out of the way, he begins to identify his personal priorities. One is to follow up on the 1850 Clayton-Bulwer treaty and build a canal across Nicaragua, connecting the two great oceans.

I am happy in being able to say that no unfavorable change in our foreign relations has taken place since the message at the opening of the last session of Congress... A convention was negotiated between the United States and Great Britain in April last for facilitating and protecting the construction of a ship canal between the Atlantic and Pacific oceans.

The company of citizens of the United States who have acquired from the State of Nicaragua the privilege of constructing a ship canal between the two oceans through the territory of that State have made progress in their preliminary arrangements.

Another is a railroad line, situated at the Isthmus of Tehuantepec, which would enable goods to be transported back and forth between ports on the Gulf of Mexico and the Pacific Ocean.

Citizens of the United States have undertaken the connection of the two oceans by means of a railroad across the Isthmus of Tehuantepec, under grants of the Mexican Government to a citizen of that Republic....

The canal and railroad references feed into a broader theme – expanding America’s role in global commerce. In the Pacific, openings to China, begun by fur traders such as John Jacob Astor, have been formalized in the 1844 Treaty of Wangxia. Fillmore now hopes to broaden the U.S. reach throughout the region, including Hawaii and possibly even the insulated nation of Japan.

The unprecedented growth of our territories on the Pacific in wealth and population and the consequent increase of their social and commercial relations with the Atlantic States seem to render it the duty of the Government to use all its constitutional power to improve the means of intercourse with them.

Closer to home, he ticks off potential opportunities in Santo Domingo, Brazil, Chili and even mentions the growing demand for “Peruvian guano” (bird dung).

The President then segues to finance, first praising a reduction in the federal debt.

I refer you to the report of the Secretary of the Treasury for a detailed statement of the finances. The total receipts into the Treasury for the year ending 30th of June last were \$47,421,748.90. The total expenditures during the same period were \$43,002,168.90. The public debt has been reduced since the last annual report from the Treasury Department \$495,276.79.

True to his Whig roots, he supports raising the tariff to help fund infrastructure initiatives and protect manufacturers – a rare departure from his typically pro-Southern leanings.

All experience has demonstrated the wisdom and policy of raising a large portion of revenue for the support of Government from duties on goods imported. The power to lay these duties is unquestionable, and its chief object, of course, is to replenish the Treasury.

A high tariff can never be permanent. It will cause dissatisfaction, and will be changed.... I therefore strongly recommend a modification of the present tariff, which has prostrated some of our most important and necessary manufactures, and that specific duties be imposed sufficient to raise the requisite revenue, making such discriminations in favor of the industrial pursuits of our own country as to encourage home production without excluding foreign competition.

He calls for a mint located in California to respond to the gold rush.

There being no mint in California, I am informed that the laborers in the mines are compelled to dispose of their gold dust at a large discount.... I doubt not you will be disposed at the earliest period possible to relieve them from it by the establishment of a mint.

The Department of the Interior, just begun in 1849, is charged with starting up an “agricultural bureau,” updating the nation’s land laws, especially related to mineral rights.

More than three-fourths of our population are engaged in the cultivation of the soil.... I respectfully recommend the establishment of an agricultural bureau, to be charged with the duty of giving to this leading branch of American industry the encouragement which it so well deserves.

I also beg leave to call your attention to the propriety of extending at an early day our system of land laws, with such modifications as may be necessary, over the State of California and the Territories of Utah and New Mexico...

When it comes to tribal relations, Fillmore exhibits the xenophobic hostility he reserves throughout his career for all minority populations. The Indians are “a source of constant terror” and he urges Congress to add cavalry units to subdue their murderous activities.

Texas and New Mexico are surrounded by powerful tribes of Indians, who are a source of constant terror and annoyance to the inhabitants. Separating into small predatory bands, and always mounted, they

overrun the country, devastating farms, destroying crops, driving off whole herds of cattle, and occasionally murdering the inhabitants or carrying them into captivity... The military force stationed in that country, although forming a large proportion of the Army, is represented as entirely inadequate... The principal deficiency is in cavalry, and I recommend that Congress should, at as early a period as practicable, provide for the raising of one or more regiments of mounted men.

The litany continues with hope for “an asylum for the relief of disabled and destitute soldiers,” naval upgrades suggested by its secretary, and a reduction in postal rates.

I am happy to find that the fiscal condition of the Department is such as to justify the Postmaster-General in recommending the reduction of our inland letter postage to 3 cents the single letter when prepaid and 5 cents when not prepaid.

Still not done, he swings back to “internal improvements,” at this point focusing on ports and harbors, as well as refurbishing Washington DC itself “to render it attractive to the people of the whole Republic.”

I entertain no doubt of the authority of Congress to make appropriations for leading objects in that class of public works comprising what are usually called works of internal improvement... Where commerce is to be carried on and imposts collected there must be ports and harbors as well as wharves and custom-houses... I therefore recommend that appropriations be made for completing such works as have been already begun and for commencing such others as may seem to the wisdom of Congress to be of public and general importance.

It should be the pride of Americans to render (Washington) attractive to the people of the whole Republic and convenient and safe for the transaction of the public business and the preservation of the public records.

At long last he wanders into the one arena that will most define his term in office – what he calls “healing the sectional differences which had sprung from the slavery and territorial questions.” The tenor of his remarks suggest a man who hopes that the tensions have been resolved, but is already seeing signs to the contrary. Thus he notes that “no information has yet been received” from the Texans about their boundary dispute with New Mexico.

The act, passed at your last session, making certain propositions to Texas for settling the disputed boundary between that State and the Territory of New Mexico was, immediately on its passage, transmitted by express to the governor of Texas, to be laid by him before the general assembly for its agreement thereto. Its receipt was duly acknowledged, but no official information has yet been received of the action of the general assembly thereon. It may, however, be very soon expected, as, by the terms of the propositions submitted they were to have been acted upon on or before the first day of the present month.

Of course, he says, “it was hardly to have been expected” that negotiations that took “many months” to resolve would be realized immediately.

It was hardly to have been expected that the series of measures passed at your last session with the view of healing the sectional differences which had sprung from the slavery and territorial

questions should at once have realized their beneficent purpose...It required many months of discussion and deliberation to secure the concurrence of a majority of Congress in their favor...

But despite any delayed reactions, Fillmore remains convinced that the “great majority of citizens” support the 1850 Compromise Bill and “still cherish...the Union of their fathers.”

I believe that a great majority of our fellow citizens sympathize in that spirit and that purpose, and in the main approve and are prepared in all respects to sustain these enactments. I can not doubt that the American people, bound together by kindred blood and common traditions, still cherish a paramount regard for the Union of their fathers, and that they are ready to rebuke any attempt to violate its integrity, to disturb the compromises on which it is based, or to resist the laws which have been enacted under its authority.

As if to reassure himself, he declares it a “final settlement in principle and substance...the best, if not the only, means to restoring peace...and the integrity of the Union.”

The series of measures to which I have alluded are regarded by me as a settlement in principle and substance—a final settlement of the dangerous and exciting subjects which they embraced.... The best, if not the only, means of restoring peace and quiet to the country and maintaining inviolate the integrity of the Union.

In the tradition of his predecessors, he closes with an invocation to what he calls “the Great Ruler of Nations.”

And now, fellow-citizens, I can not bring this communication to a close without invoking you to join me in humble and devout thanks to the Great Ruler of Nations for the multiplied blessings which He has graciously bestowed upon us.

Chapter 186 – Southern Unionists Support The 1850 Compromise Against The Alarmists



Dates:
November 11 –
December 10, 1850

Sections:

- The Nashville Convention Reconvenes And Threatens Secession
- The Georgia Platform Convention Reaffirms A Pro-Union Stance

November 11-18, 1850

The Nashville Convention Reconvenes And Threatens Secession

While the 1850 Compromise legislation that Fillmore signs in September is much more favorable than what Zachary Taylor proposed before his death, the South remains fearful that the national tide is turning against slavery.

Their concerns prompt the call for two conventions, one in Nashville in November, another in Georgia in December.

The Nashville gathering is a follow-up to the very contentious meeting back in June 1850, where Mississippi Governor John Quitman's call for immediate secession was rejected as too extreme by the mostly Unionist delegates. Their alternative at the time called for convincing Taylor and Clay to solve the slavery debate by extending the 36'30" Missouri line of demarcation to the west coast.

Instead, the best that Stephen Douglas can deliver is to freeze both New Mexico and Utah in "territorial limbo" and delay final calls on Free vs. Slave State status until constitutions are written and a "pop sov" vote is held.

This outcome prompts the second Nashville Convention lasting eight days and arriving at a considerably more threatening consensus. The final manifesto approved by the delegates begins by drawing the now well-rehearsed distinctions between the white and black races:

We have amongst us two races, marked by such distinctions of color and physical and moral qualities as for ever forbid their living together on terms of social and political equality.

The Constitution sanctioned the master-slave relationship between the races – and any retreat would be just cause for the South to secede.

The black race have been slaves from the earliest settlement of our country, and our relations of master and slave have grown up from that time. A change in those relations must end in convulsion, and entire ruin of one or of both the races.

When the Constitution was adopted this relation of master and slave, as it exists, was expressly thresholded and guarded in that instrument. It was a great and vital interest, involving our very existence as a separate people then as well as now. The states of this confederacy acceded to that compact, each one for itself, and ratified it as states. If the non-slaveholding states, who are

parties to that compact, disregard its provisions and endanger our peace and existence by united and deliberate action, we have a right, as states, there being no common arbiter, to secede.

It now appears that the federal government is committed to limiting this spread of slavery and thereby disrupting the balance of power between the sections in the congress.

Restrictions and prohibitions against the slaveholding states, it would appear, are to be the fixed and settled policy of the government; and those states that are hereafter to be admitted into the Federal Union from their extensive territories will but confirm and increase the power of the majority; and he knows little of history who cannot read our destiny in the future if we fail to do our duty now as free people.

Southerners are further outraged by what they regard as personal attacks on their honor in “gross misrepresentations of our moral and social habits...before the world.”

We have been harassed and insulted by those who ought to have been our brethren, in their constant agitation of a subject vital to us and the peace of our families. We have been outraged by their gross misrepresentations of our moral and social habits, and by the manner in which they have denounced us before the world. Our peace has been endangered by incendiary appeals. The Union, instead of being considered a fraternal bond, has been used as the means of striking our vital interests.

The “vital interests” of the South are also being threatened in California and in Texas.

The admission of California, under the circumstances of the ease, confirms an unauthorized and revolutionary seizure of public domain, and the exclusion of near half the states of the confederacy from equal rights therein destroys the line of thirty-six degrees thirty minutes...compromise.

The recent purchase of territory by Congress from Texas, as low down as thirty-two degrees on the Rio Grande, also indicates that the boundaries of the slaveholding states are fixed and our doom prescribed so far as it depends upon the will of a dominant majority.

Given these circumstances, the delegates go on to offer up a series of six “resolves:”

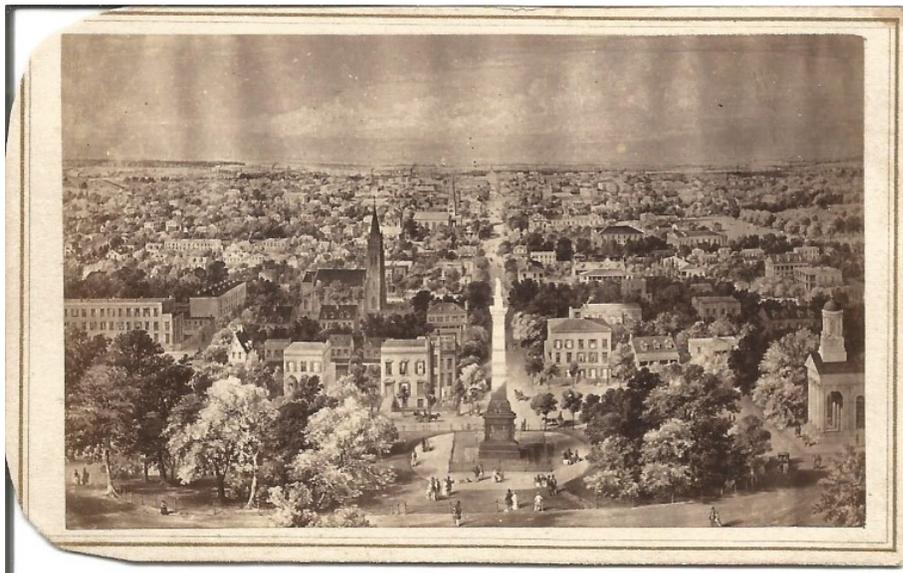
- 1. That we have ever cherished, and do now cherish a cordial attachment of the constitutional union of the States*
- 2. That the union of the States is a union of equal and independent sovereignties, and that the powers delegated to the Federal government can be resumed by the several states, whenever it may seem to them proper and necessary.*
- 3. That all the evils anticipated by the South, which occasioned this Convention to assemble have been realized, by the failure to extend the Missouri line of compromise to the Pacific ocean...the admission of California as a state...the organization of Territorial...Utah and New Mexico without...adequate protection for the property of the South... the dismemberment of Texas (and) by the abolition of the slave trade, and the emancipation of slaves carried into DC for sale.*
- 4. That we earnestly recommend to all parties in the slaveholding States, to refuse to go into...any national convention... to nominate candidates for the Presidency and Vice-Presidency... under any party denomination...until our constitutional rights are secured.*
- 5. That in view of these aggressions...we earnestly recommend to the slaveholding states, to meet in a.. convention to be ...composed of double the number of their senators and representatives in the Congress of the United States...to deliberate and act with a view and intention of arresting*

further aggression, and if possible of restoring the constitutional rights of the South, and if not to provide for their safety and independence.

6. *That the president of this convention...forward copies of the foregoing preamble and resolutions to the governors of each of the slave-holding States of the Union, to be laid before their respective legislatures at their earliest assembling.*

Date: December 10, 1850

The Georgia Platform Convention Reaffirms A Pro-Union Stance



The City Of Savannah, Georgia

Two distinct camps, cutting across party lines, now form up around what to do next..

South Carolinians lead the radical Secessionists, who argue that political power has shifted to Northerners intent on banning the spread of slavery to the west and thereby crushing the economic engine of the South. The only sane response to this prospect is to break away from the Union.

Meanwhile the Georgians explore a Unionist camp, around beliefs that the 1787 Constitution is a sacred contract which, in the end, will lead honorable Northern men to accommodate to Southern necessities. This was the case at Philadelphia and again in 1820 over Missouri. Surely the 1850 Compromise holds the possibility for “liberty and union.”

To debate the Unionist option, Georgia holds a state convention of its own, in Milledgeville, in December 1850.

The convention has been preceded by several months of intense campaigning to select delegates. The pro-Unionist forces are led by the three Georgian leaders in the U.S. House – the powerful Democratic Speaker, Howell Cobb, and his two Whig allies and lifelong colleagues, Robert Toombs and Alexander Stephens. They are opposed by two other prominent Georgians, Governor George Towns and ex-Senator Herschel Johnson, both classical Jackson Democrats, but both dismayed by the “containment” tactics of

the North. The States Rights firebrands, Yancey of Alabama and Rhett of South Carolina, also barnstorm across Georgia.

When Georgians vote almost 2:1 in favor of sending Unionist delegates to the convention, they signal what seems to be the prevalent wishes of Southerners – to reaffirm their commitment to the Union and recognize the need for all to compromise once again to preserve it.

As Jackson declared in 1833: “our federal Union – it must and shall be preserved.”

The rest of the so-called “Georgia Platform” approved on December 10, 1850, announces the “conditions” demanded by the state to sustain the Union. These begin with a re-statement of the 1850 Compromise details, which the proceedings say Georgia will “abide by although not wholly approving of, as a permanent adjustment to the sectional controversy.”

- Admission of California as state
- Organization of territorial governments in Utah and New Mexico
- Boundary line between Texas and New Mexico
- Suppression of the slave trade in DC
- The extradition of fugitive slaves
- Refusal to prohibit slavery in the Mexican lands
- Refusal to abolish slavery in DC

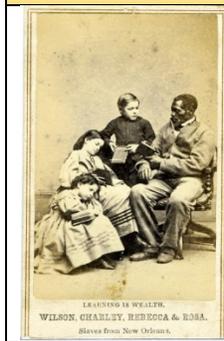
The Platform, however, ends with a threat. Georgians will be ready to secede if the government:

- Threaten the safety, domestic tranquility, rights or honor of the slave holding states.
- Refuses to admit as a state any territory because it has slave-holders in its boundaries.
- Prohibits the introduction of slaves into the territories of Utah or New Mexico..
- Repeals or modifies the laws on recovery of fugitive slaves.

These threats play an important role in the overall declaration. Georgia wishes to preserve the Union, but it will not be pushed around by Northern violations of its Constitutional rights.

Over the next decade, the Georgia Platform will spawn the Constitutional Union Party, which represents the last dying gasp of Southerners who likely view secession as a perhaps even treasonous betrayal of the America they have fought to preserve.

Chapter 187 – Northerners Rebel Against the 1850 Fugitive Slave Act



Dates:
Fall – Winter 1850

- Sections:**
- Details Of The 1850 Fugitive Slave Act Begin To Sink In
 - Northern Opposition To The Act Picks Up Momentum
 - Ellen And William Craft Escape Capture

Date: Fall 1850

Details Of The 1850 Fugitive Slave Act Begin To Sink In



The Freed Slaves Of New Orleans

At first, reactions to the 1850 Compromise are more muted in the North.

Unlike the South, where economic growth hinges on opening new slave plantations in the west, Northerners feel far removed from, and often indifferent to, events way out in Texas, New Mexico, Utah and California.

There is, however, one exception, and it centers on the updated Fugitive Slave Act.

The issue of dealing with run-away slaves goes all the way back to Article IV in the 1787 Constitution:

No person held to service or labour in one state, under the laws thereof, escaping into another, shall, in consequence of any law or regulation therein, be discharged from such service or labour, but shall be delivered up on claim of the party to whom such service or labour may be due

It is revised in 1793 at the insistence of Southerners to clarify that all children of enslaved mothers are by definition slaves, to define the process of reclaiming run-aways, and to set penalties on those who would impede the returns. In 1842 the Supreme Court's decision in *Prigg v. Pennsylvania* rules that the 1793 federal law takes precedent over an 1826 state ban on capturing escapees.

What renews the issue in 1850 is a shared belief among slaveholders that escapes are on the rise, and that the North is not only ignoring the problem, but, in the case of the abolitionists, encouraging it. Thus the updated 1850 Act which demands active participation of Northern magistrates – and average citizens – in rounding up and returning run-aways to their owners. The new bill comprises ten detailed sections, highlighted as follows:

Details Of The 1850 Fugitive Slave Act

Section	Calling For:
2	Territorial Courts have the right to appoint commissioners with power to act.
3	The number appointed can expand on behalf of dealing with run-aways.
4	Commissions shall grant proven owners the right to reclaim their slaves.
5	It is the legal duty of local marshals – and local citizens – to aid in identifying and capturing and returning all run-aways.
6	Reasonable force may be applied to secure targeted slaves; trials will be conducted to decide their fate; they are prohibited from testifying in their own defense; and any opposition to carrying out the court’s decision is disallowed.
7	Anyone who obstructs the process shall be subject to penalties, including fines up to \$1,000 paid to the court and six months in jail, along with civil damages of \$1,000 per slave involved paid directly to the claimant.
8	Local marshals and judges shall be paid for their services on each case, the amount being \$10 if the decision is to return the accused to slavery or \$5 if the claim is denied. Additional fees will be paid for other expenses (lodging, feeding, court attendance, etc.)
9	Local marshals are responsible for escorting convicted run-aways back to the original claimant, employing whatever support is required to complete the task.

When the contents and implications of this act begin to sink in across the North, a backlash materializes.

This is no longer about happenings far away in the new west, but instead right here and now in their own towns and cities. Even for those indifferent to the fate of black people, the notion of Southern bounty hunters, armed with shotguns and chains and wandering around their neighborhoods, is alarming – as is the legal demand to actively participate in the process, under the threat of fines.

Other Northerners who do oppose slavery are appalled by the act, regarding it as both brutal and a violation of simple justice. They are particularly drawn to Section 6, which prohibits the accused from speaking out in their own defense, and Section 8, which rewards judges with \$10 for deciding in favor of the plaintiff (claimant) versus only \$5 for siding with the defense (the accused black).

As the act goes into effect and Southern agents begin to appear in the North, the backlash gains momentum.

Sidebar: Simplified Text Of The 1850 Fugitive Slave Act

Section 2. That the Superior Court of each organized Territory of the United States shall have the same power to appoint commissioners

Section 3. That the Circuit Courts of the United States shall from time to time enlarge the number of the commissioners, with a view to afford reasonable facilities to reclaim fugitives from labor, and to the prompt discharge of the duties imposed by this act.

Section 4. That the commissioners... shall grant certificates to such claimants, upon satisfactory proof being made, with authority to take and remove such fugitives from service or labor, under the restrictions herein contained, to the State or Territory from which such persons may have escaped or fled.

Section 5. That it shall be the duty of all marshals and deputy marshals to obey and execute all warrants and precepts issued under the provisions of this act, when to them directed; and should any marshal or deputy marshal refuse to receive such warrant, or other process, when tendered, or to use all proper means diligently to execute the same, he shall, on conviction thereof, be fined in the sum of one thousand dollars.... And that all good citizens are hereby commanded to aid and assist in the prompt and efficient execution of this law, whenever their services may be required, as aforesaid, for that purpose; and said warrants shall run, and be executed by said officers, anywhere in the State within which they are issued.

Section 6. That when a person held to service or labor in any State or Territory of the United States, has heretofore or shall hereafter escape into another State or Territory of the United States, the person or persons to whom such service or labor may be due, or their agent or attorney...may pursue and reclaim such fugitive person... using such reasonable force and restraint as may be necessary...to take and remove such fugitive person back to the State or Territory whence he or she may have escaped... In no trial or hearing under this act shall the testimony of such alleged fugitive be admitted in evidence; and.. the remove (of) such fugitives...shall (proceed) without molestation of (claimants) by any process issued by any court....

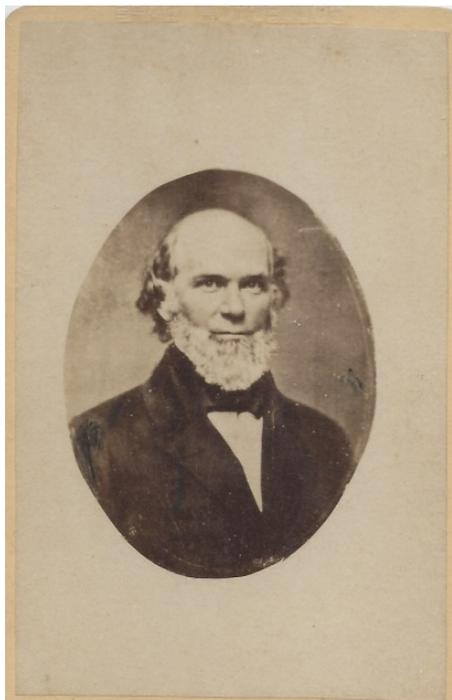
Section 7. That any person who shall knowingly and willingly obstruct, hinder, or prevent such claimant... from arresting such a fugitive... or shall aid, abet, or assist such person...to escape from such claimant... or shall harbor or conceal such fugitive... shall, for either of said offences, be subject to a fine not exceeding one thousand dollars, and imprisonment not exceeding six months, by indictment and conviction before the District Court...and shall moreover forfeit and pay, by way of civil damages to the party injured by such illegal conduct, the sum of one thousand dollars for each fugitive so lost...

Section 8. That the marshals, their deputies, and the clerks of the said District and Territorial Courts...shall be entitled to a fee of ten dollars in full for his services in each case, upon the delivery of the said certificate to the claimant...or a fee of five dollars in cases where the proof shall not, in the opinion of such commissioner, warrant such certificate and delivery...(along) with such other fees as may be deemed reasonable by such commissioner for such other additional services as.. attending at the examination, keeping the fugitive in custody, and providing him with food and lodging during his detention...

Section 9. That, upon affidavit made by the claimant of such fugitive...it shall be the duty of the officer making the arrest to retain such fugitive in his custody, and to remove him to the State whence he fled, and there to deliver him to said claimant.... And to this end, the officer aforesaid is hereby authorized and required to employ so many persons as he may deem necessary....

Date: 1850

Northern Opposition To The Act Picks Up Momentum



Theodor Parker (1810-1860)

As expected, the Abolitionists are first to voice their opposition – led by William Lloyd Garrison, who updates readers on the latest cases involving enforcement of the new law on the front pages of *The Liberator*.

In September, the initial coverage is of a James Hamlet, returned to slavery in Maryland. By year's end, the paper tracks a total of twenty-one cases, with nineteen convictions against only two releases.

Abolitionist clerics also weigh in, led by the venerable Unitarian minister in Syracuse, Samuel May, and the Unitarian transcendentalist in Boston, Theodore Parker. They are joined by two younger voices that will subsequently be drawn into violent resistance. One is 37 year old Henry Ward Beecher, son of the ultra-conservative Lyman Beecher, who decries slavery from his Congregational Church pulpit in Brooklyn. The other is Thomas Higginson, age 27, precocious attendee of Harvard at 13, whose radical sermons on slavery cost him his post as Unitarian minister in Newburyport, Massachusetts in 1848.

Next come sizable rallies across the North opposing the law and gaining the attention of politicians. In Chicago, the city council declares that it will not cooperate with federal marshals, and the Whig Mayor of New York, Caleb Woodhull, quickly follows suit.

But it is Boston that will become the symbol of active Northern opposition to what many locals characterize as the “Kidnapping Act.”

Their defense centers around a “Vigilance Committee,” founded in June 1841 by Reverend Parker, to protect all blacks – freedmen as well as runaways – from the terrifying threat of being arrested and sent South.

Its first highly publicized case involves George Latimer and his wife who escape from a Virginia plantation only to be spotted and arrested “for larceny” in Boston in October 20, 1842. Abolitionists and freedmen secure representation for the Latimers, but the judge in the case says that federal law requires their return. The matter is soon reserved when their owner accepts a \$400 payment to free them.

Another famous case involves a free born man from New York City named Solomon Northrup, a traveling violinist who is drugged and kidnapped after a concert in Washington, DC, and sold into slavery in New Orleans. Northrup is finally freed in 1853 with help from friends in New York, who petition the Governor, Washington Hunt. Upon his release, he pens his memoirs titled *Twelve Years A Slave*, which sells a remarkable 30,000 copies. Various suits are filed against his kidnappers, but they fail because his standing as a black man prohibits his testifying in court.

The fates of both Latimer and Northrup are well known to the Abolitionist community, and as soon as the 1850 Act becomes law, they ramp up their plans to resist. In Boston they will soon be in the national spotlight around the fate of Ellen and William Craft.

Date: December 1850

Ellen And William Craft Escape Capture

Ellen and William Craft are two well-known runaways living in Boston when the 1850 Fugitive Slave Act is signed into law.

Their notoriety rests on the daring escape they execute around Christmas 1848 from a plantation in Georgia.

The scheme centers on the very light-skinned Ellen’s ability to “pass” for white, together with her cleverness as an actress. The couple’s escape plan involves Ellen dressing up as a man, feigning illness, and traveling North “for treatment” along with her black servant, “played” by her husband.

Together the pair use their savings from William’s prior work as a carpenter to purchase train tickets from Macon, Georgia to the coastal city of Savannah.

Neither can read nor write, and both are fearful of being caught out along the passage by their speech patterns. To avoid conversations with other passengers, they hide behind “Ellen’s incapacities.” This works, and they soon repeat the ploy on a steamboat journey which takes them to the Free State of Pennsylvania.

From there they move on to Boston, where they are formally married by Reverend Theodore Parker and William opens a cabinet-making shop.

By 1850 they are hired by the Abolitionists as traveling lecturers to tell their stories about slavery and recount the details of their amazing escape. While William tends to be the narrator, on occasion Ellen breaks the gender barrier at the time and addresses a mixed audience.

This tranquil routine ends in October 1850 when two bounty hunters arrive in Boston from Macon, searching for them on behalf of their Georgia owner, a man named Collins.

When their presence becomes known, The Boston Vigilance Committee springs into action, first hiding the Crafts and then harassing the agents at their hotel, on their way to William's cabinet shop, and when they attempt to meet with the local constables.

Collins goes so far as to petition Millard Fillmore for support, and the President agrees, even offering up military force to carry out the law.

But then things settle down, with resolution almost occurring when the Committee offers to pay the bounty hunters to secure the Crafts freedom. However, both Ellen and William reject this proposal, because they feel it will simply encourage more "agents" to come North for other runaways.

The episode finally ends when the two agents, thoroughly frustrated, give up and head back home empty handed. To be certain of their safety, however, the Crafts sail on to England, where they reside until 1868 after the end of the Civil War.

Chapter 188 – The Black Population Regards The Fugitive Slave Act As An Existential Threat



Dates:
1850

Sections:

- The 1850 Act Threatens Both Slaves And Freedmen Alike
- Roughly 50,000 Slaves Attempt To Escape Each Year
- Profiles Of Those Who Attempt To Run Away
- Description Of Runaways By Their Owners
- Owners Try To Find Ways To Prevent Escapes
- “Patterollers” And Bounty Hunters Are Charged With Capturing Runaways

Date: 1850

The 1850 Act Threatens Both Slaves And Freedmen Alike



Perhaps A Field Hand

Reactions to the 1850 Act among whites in the South and North pale in comparison to concerns among the black population.

At the time there are a total of 3.4 million living in America, including some 200,000 living as freedmen and another 3.2 million who remain enslaved.

U.S. State Population (000) – 1850

Total	North	South	Ratio
Total	13,447	9,411	1.43:1
White	13,251	6,004	2.21:1
Free Black	196	205	0.96:1
Slave		3,200	***
% Black	1.5%	34.0%	

The Fugitive Slave law is a dire threat to them all.

For those still trapped in the South on plantations, hope for a successful and lasting escape are diminished by the prospect of long distance bounty hunters joining the local “patterollers” in chasing them down.

For those living as freedmen – either through birth to a free mother, manumission, payments to masters or running away – the prospect of being kidnapped and thrust into slavery becomes paramount.

The law itself almost guarantees that any black accused of being a fugitive will be convicted in the kangaroo court scheme which rewards judges with \$10 for convictions against \$5 for acquittals, and prohibits the accused from speaking in his own defense.

The odds of escaping to freedom and remaining free thus narrow after 1850.

Date: 1850's

Roughly 50,000 Slaves Attempt To Escape Each Year

Despite the increased risks, attempts to escape are ongoing.

While reliable data on the incidence of runaways don't exist, the historian Dr. John Hope Franklin makes some educated guesses by analyzing contemporary documents along with "fugitive slave ads" running in Southern newspapers.

According to Franklin, roughly 50,000 to 60,000 slaves try to escape each year.

About 23,000 attempts are made each year from large plantations...

Estimated # Of Runaways Each Year: Plantations

Total	Number
Households owning slaves in 1850	385,000
x Percent who run plantations	12%
= Total plantation owners	46,000
x Guesstimated % with one runaway/year	50%
= Total runaways from plantations	23,000

Note: Dr. John Hope Franklin – *Runaway Slaves* (1999)

With another 34,000 flights from traditional, smaller farms and households.

Estimated Runaways: Traditional Farms

Total	Number
Households owning slaves in 1850	385,000
x Percent who are not planters	88%
= Total non-plantation owners	339,000
x Guesstimated % with one runaway/year	10%
= Total runaways from traditional farms	34,000

Date: 1850's

Profiles Of Those Who Attempt To Run Away

Franklin is also able to create fascinating profiles of the runaways by further combing his newspaper databases across five states.

Newspaper Ads Seeking Run-Away Slaves

States	# Ads For Run-Aways
Virginia	195
North Carolina	132
Tennessee	168
South Carolina	458
Louisiana	363
Total	1,316

Note: *Runaway Slaves* (John Hope Franklin)

He finds that eight in ten are men, undoubtedly because they are more physically equipped for the hardships of flight and then living off the land on their own for extended periods of time.

Gender Of Runaways

Men	Women
81%	19%

The predominant age for both men and women runaways seems to fall in the 20-30 year old range, prime time for physical vitality in an age where only 8% of all adults survive to their fiftieth birthday.

Age Of Runaways

Age	Men	Women
Kids/Teens	23%	30%
Twenties	54	45
Thirties	17	21
Forty +	6	4
Total	100%	100%

Note: Five state average (va,nc,sc,tn,la)

The decision to escape is largely made and carried out by a single individual, probably pushed beyond his or her personal threshold of suffering, and ready to gamble all on walking into a nearby forest or swamp. Some attempt to take their spouse or children along, although companions often compound the complexities.

Running Away

Alone	With Others
72%	28%

Very few flights are as well planned or sophisticated as that of Ellen and William Craft. Instead the typical scenario seems to involve packing food, other small supplies, and precious possessions in a carrying pouch, and slipping away unobserved at the end of a workday, hoping not to be missed before sun-up.

Franklin estimates that only 7% of runaways are shielded from discovery by securing forged documents or passes to help them along, and only 4% are aided by their ability to read or write.

The timing of escapes is fairly evenly spread across the year, except for the Fall harvesting season where monitoring by overseers is most intense.

Time Of Year For Escapes

When	Percent
Winter	28%
Spring	27
Summer	27
Fall	18
	100%

Date: 1850's

Description Of Runaways By Their Owners

Further analysis of the newspaper ads also reveals how owners “describe” their runaways – the intent being to provide enough detail that pursuers can accurately identify their targets.

The descriptions typically begin with fundamentals, such as the slave's name, gender, age and general build (slight, average, stout, heavy).

From there, however, they tend to highlight whatever “features” strike the eyes of their white masters as being most unique and definitive.

Franklin finds that “skin color” is often cited as a primary differentiator – with “hues” ranging from “black as night” to “nearly black, brown, copper, reddish, dark ginger, tawny, yellow, high yellow, griff, mulatto, tolerably bright, full bright.”

Other “skin-related” call-outs include the presence of “dark freckles,” tattoos, or owner-induced marks, such as perceivable scars, cropped ears or burned-in brands, applied to foreheads, cheeks, chests or thumbs.

Hair styles are mentioned in less than 10% of the ads, with “bushy, plaited, standing high on head” referenced.

Clothing is another often cited clue to identification, with a focus on favorite dresses or headscarves for females, and caps, work shirts or trousers for males.

Finally some ads attempt to capture what the owner sees as the “demeanor” of the runaway. Franklin highlights the key words they use as follows:

Descriptions Of “Runaway Demeanors”	
Profile	% Mention
Intelligent/artful	11%
Friendly/polite	11
Looks down/slow speech	8
Active	6
Cunning	4
Surly	3
Nervous	3

Owners who elaborate on “demeanor” tend to warn potential captors of a given slaves capacity to deceive, as in:

A proud, cunning fellow with a very smooth dissembling tongue, a tall mulatto woman who is artful and talks very properly to deceive anyone.

Very few ads mention either disobedience or violence, the former behavior being a reflection on the owner's inability to maintain discipline; the latter a potential "stay-away" warning to all slave catchers.

Finally, Franklin examines the "rewards" being offered for the runaways. He finds that eight out of ten ads include a reward, the average being around \$25. Although this amount seems modest in relation to the typical slave value (\$377 in 1850), it is not insignificant when a day laborer may be earning \$100 per year.

Select Southern Newspaper Ads Seeking Run-Away Slaves (1838-1860)

States	# Ads For Run-Aways	# Offering Reward	Ave. \$ Reward
Virginia	195	162	\$32
North Carolina	132	113	27
Tennessee	168	121	23
South Carolina	458	298	19
Louisiana	363	340	28
Total	1,316	1,034 (79%)	\$25 (ave)

Note: *Runaway Slaves* (John Hope Franklin)

Date: 1850's

Owners Try To Find Ways To Prevent Escapes

Remarkably, some masters regard the act of running away as a surprise, given what they evidently see as the favorable treatment the enslaved experience in captivity. This phenomenon is addressed in an 1850 issue of the widely read New Orleans periodical, *Debow's Review*, by one Dr. Samuel Cartwright who coins the term "drapetomania," a form of mental illness which causes negroes to run away.

Whatever the cause, once an escape is discovered, slave owners typically react swiftly and aggressively.

Some are motivated in part by pride – seeing the flight as a personal affront to their sense of power and control, and a potential source of humiliation among their peers.

But for all, retrieval is a matter of simple economics.

In 1850, the value of the "average" slave is \$377, and it is about to double in the next decade. A male field hand brings in much more, some \$756, often matched by females in their early child-bearing years. Meanwhile the average annual income for white men in 1850 ranges between \$225 for a common laborer to \$400 for an artisan and \$550 for a skilled white collar worker.

Thus losing a single slave can represent the equivalent of losing more than a year's worth of paid labor!

To prevent such losses, slave-holders adopt a range of strategies.

The first is “preventive” in nature. It lies in striking terror into the hearts and minds of one’s slave about the potential punishments awaiting all who flee and are then returned.

The second is “reinforcement.” It comes in the form of actually carrying out threatened punishments before the very eyes of the captured runaway’s fellow slaves. One such example is recounted many years later by 88 year old W. L. Bost, a former slave from Ashville, North Carolina.

The nigger was put in the whipping post. They was two holes cut for the arms stretch up in the air and a block to put your feet in, then they whip you with a cowhide whip. I remember how they kill him...He was stubborn and had been lashed before. They strip his clothes off and then the man stand off and cut him with the whip. The cuts about half inch apart. After they whip him they tie him down and put salt on him. Then after he lie in the sun awhile they whip him agin. But when they finish he dead.

However, before one can “make an example” out of runaways, they must first be captured.

Date: 1850’s

“Patterollers” And Bounty Hunters Are Charged With Capturing Runaways

The first hurdle facing escapees are what the slaves call the “patterollers” – a linguistic slurring of the word “patrollers.” These are bands of lawless men who survive in the countryside by illicit trafficking with slaves and then by turning around to collect rewards for capturing them.

A runaway slave, Francis Henderson, describes them as follows:

The patrols are poor white men, who live by plundering and stealing...and setting up little shops on the public roads. They will take whatever the slaves steal, paying in money or whiskey or whatever the slaves want. They take pigs, sheep, wheat, corn, anything they encourage the slaves to steal; these they take to market and sell the next day. And when the slaves run away, these same traders catch them if they can to get a reward. They don’t care if the slaves threaten to expose them, for the slave’s word is good for nothing and would not be taken.

Written slave recollections are replete with references to the “patterollers.” One comes from a 105 year old freedman named Anthony Dawson, interviewed in Tulsa, Oklahoma:

None of my old master’s boys tried to get away ‘cepting two, and dey met up with the patterollers, both of them. One of the songs de slaves all knowed and de children used to sing when dey playing in de moonlight round de cabins in de quarters goes:

*Run nigger, run,
The Patteroll, get you
De Patteroll come,
De Patteroll trick you,
Watch, nigger, watch,
The Patteroll, get you
He got a big gun.*

If a capture fails to materialize quickly by simply tacking up posters or putting the word out of an escape, owners can next turn to placing an ad in the local newspaper or even hiring a bounty-hunter.

Hiring a “professional slave-catcher” tends to be a last resort, given the expenses involved. Bounty hunters typically charge by the day and mile, with an added fee for returning the slave alive and perhaps even administering punishment.

A Louisiana slave catcher named Edward King charged \$2 a day and 6 cents a mile, while a Georgian hunter, Oliver Findlay, charged \$30 for capturing a runaway and another \$5 for whipping him.

These bounty-hunters were vicious men, armed with the usual guns, whips and shackle, and in some cases with what become known as “negro dogs.”

These dogs were locked up never allowed to see a negro except while training to catch him. During training they were given a black man or woman’s shoe or article of clothing and taught to follow the scent. Finally trainee slaves would be given a head start and, when the dogs treed him, they were given meat as a reward. Attempts to throw off the scent by heading into streams or sprinkling pepper on a trail seldom did more than delay the time to capture.

Slave hunter David Turner of Hardeman County, Tennessee, boasts of his bloodhounds in local newspapers:

I have two of the finest bloodhounds for catching negroes in the southwest. They can take the trail twelve hours after the negro passed and catch him with ease, and I am ready at all times to go after runaways.

As fearsome as the combination of “patterollers” and bounty-hunters are, desperate slaves begin to create a network to escape their clutches.

Sidebar

De Gullah/Geechee Storee Pun Jehosee



Gullah ancient with her sweetgrass basket

William Aiken Jr. is 25 years old in 1831 when he joins the “planter” class, after his father, William Sr., founder of The South Carolina Canal and Railroad Company, is killed in a carriage accident in Charleston.

The younger Aiken has graduated from the College of South Carolina in 1825 and finds that he is drawn to agriculture rather than trains.

In 1833 he purchases a lowland rice plantation known as Jehosee Island from the Drayton family. The island consists of 1500 acres with an elaborate system of rice trunks and tidal irrigation dikes built and worked by some 700 “Gullah” people, slaves from Sierra Leone and Angola, brought to America by way of Brazil, and sold in the Charleston market.

The Gullahs arrive with their unique language, “Geechee,” and over a thousand-year history of growing African rice, a hearty strain, well suited to the climate variations along the Carolina coast. Their many years of laboring in shallow water under a blazing sun have also increased their resistance to the malaria and yellow fever outbreaks that force their white master inland during the summer months.

Roughly 90% of America’s rice is grown at the time on coastal plantations in South Carolina and Georgia. It is a high-risk business, subject to sudden loss of crops due to storms, broken dikes and flooding. But it is also high reward, especially for plantations like Jehosee which benefit from economies of scale and vertical integration, from planting through rice pounding mills.

Jehosee Island eventually produces over one million pounds of rice annually, roughly 1% of the nation’s entire output.

Profits from the crop propel Aiken along a path familiar to the Southern oligarchs. He marries Harriet Lowndes, whose pedigree traces to the founding of South Carolina, and who leads a thoroughly protected life of refined elegance and grace. In 1837 he enters state politics, which culminates in his election as Governor in 1844. From there he is off to Washington, serving four terms as a Democrat in the House from 1853-57. Aiken is strongly pro- state’s rights, but also a Union man. When the time comes, he refuses to sign his state’s secession petition.

While the war takes its toll on both Aiken and Jehosee Island, the Gullah culture, the muscle and soul of the plantation, survives to the present day. In the marketplace stalls of Charleston, seated women weaving their sweetgrass baskets, the smell of jambalaya and red rice and okra soup simmering, the sing song sounds of Geechie, a mysterious sense of long-ago bonds, of bright sun, stinging whips, of coded

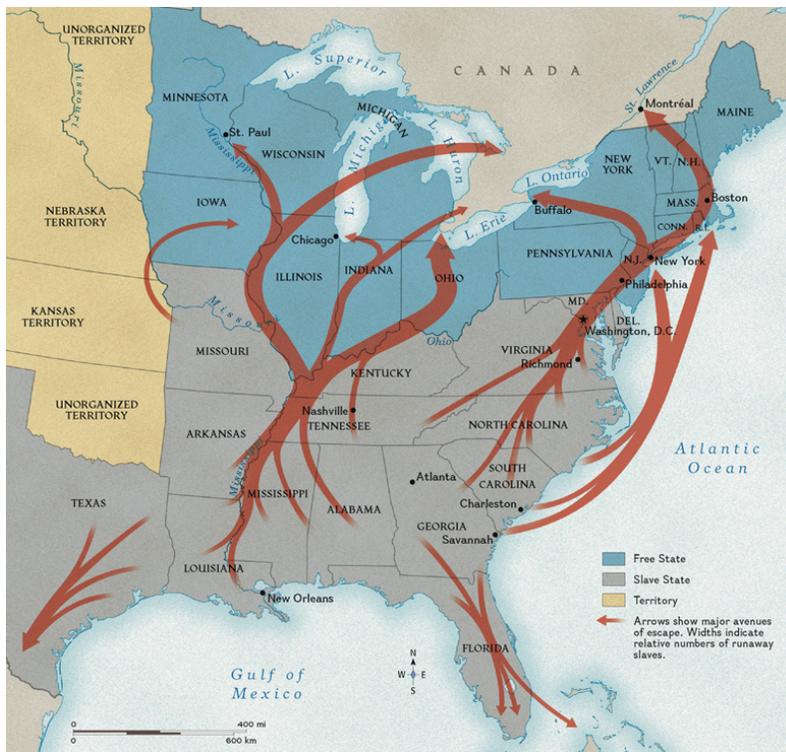
reassuring shouts and mysterious herbal cures, hags casting spells over the Man, and of never-ending rows of wild African rice to harvest on a foreign shore, dreaming of home.

Chapter 189 – The Underground Railroad Assists The Runaways

	<p>Dates: 1826 Forward</p>	<p>Sections:</p> <ul style="list-style-type: none"> • Abolitionist Levi Coffin Initiates The Underground Railroad • “General” Harriet Tubman Sets The Standard For Running The Railroad • The Underground Railroad Runs Across The North And Into Canada
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Date: 1826 Forward

Abolitionist Levi Coffin Initiates The Underground Railroad



A critical challenge facing runaway slaves lies in settling on a route that will carry them to the North or to other safe havens such as Canada, Mexico or Cuba.

At first, this is a matter of sheer trial and error – scouting for backroads free of patrols, coming upon abandoned shelters and accessible sources of food, lucking into encounters with sympathetic travelers willing to offer hidden rides in wagons or boats. Over time, however, the “best” escape routes are identified and passed, by word of mouth, back to the Southern plantations, farms and towns.

Map Showing Major Underground Railroad Routes

The next stage involves the emergence of willing conspirators who risk their own personal safety by attempting to aid the runaways. Included here are both white and black men and women, bonded by a humanitarian desire to free the slaves. Their role will be to map out routes from various starting points in the South, find and maintain reliable rest stops along the way, and, in some cases, share the physical risks of guiding the runaways in person along the paths chosen.

As this clandestine support system takes shape, it is christened by slaves and sponsors alike as the “Underground Railroad.” The analogy is apt – with wagons serving as trains, the routes as tracks, guides as conductors and rest stops as stations.

Early western passengers on this “railroad” often begin their journey to freedom from Kentucky, making their way north to the Ohio River and from there into Indiana or Ohio. Many end up at the Quaker settlement of Newport, Indiana, at the home of Levi Coffin, who plays a central role from 1826 forward in setting up and running the Underground network.

Coffin is a North Carolina man by birth, and a cousin of the abolitionist leader, Lucretia Coffin Mott. His Quaker upbringing teaches him to abhor slavery, and in 1826 he moves his family to Newport, where he founds a lucrative dry good business, and funnels much of his energy and wealth into ending slavery and assimilating blacks into white society. His efforts are opposed by locals who want to keep slaves and freedmen alike out of Indiana, and by bounty-hunters who are forever at his home hoping to retrieve hidden runaways. Coffin’s efforts on their behalf earn him the early title of “President of the Underground Railroad.”

But Coffin’s fame for conceiving of the railroad system is matched by a host of others who play vital roles in making it operate successfully. Foremost among them is a youthful runaway named Harriet Tubman.

Sidebar: Levi Coffin’s Recollection

Starting in 1826, Levi Coffin begins to harbor fugitive slaves at his home in the Quaker settlement of Newport, Indiana, thereby initiating an escape network that becomes known as the Underground Railroad. Over time an estimated 3,000 blacks pass through Coffin’s residence, with its ten-person crawlspace hidden behind a maid’s closet. In 1876 Coffin reflects on the inner workings of his “grand central station” in Newport.

I soon became extensively known to the friends of slaves at different points on the Ohio River, where fugitives generally crossed...heading toward Canada.

Three principal lines converged at my house, one from Cincinnati, from Madison and Jefferson, Indiana. The roads were always in running order, depots were established, the conductors active and zealous, and there was no lack of passengers. We knew not what night nor hour we would be roused from slumber by a gentle rap at the door...the signal announcing the arrival of a train, for the Underground Railroad locomotive did not whistle.

Outside in the cold or rain, there would be a two horse wagon, loaded with (2-17) fugitives. I would invite them to come in...then fasten the door, cover the windows and build a good fire. After my wife prepared victuals...they would rest on pallets before the fire the rest of the night.

I would accompany the conductor of the train to the stable, and care for the horses that had, perhaps, been driven twenty-five or thirty miles that night, through the cold and rain.

Fugitives often come in rags, footsore, toil-worn, and almost wild, having been out for several months, traveling at night, hiding in thickets during the day, often being lost and making little headway, nearly perishing, and afraid of every white person they saw, even after they came into the free state.

Date: 1859's

“General” Harriet Tubman Sets The Standard For Running The Railroad

If Coffin deserves the president's title, it is Harriet Tubman who emerges as the leading field “General” in the Underground Railroad. She endures the greatest risks of all and exhibits the greatest courage – a runaway slave willing to venture back into enemy territory to act as personal “conductor” for others seeking freedom.

While Coffin is fifty-two years old in 1850, Tubman remains a young woman of 27-30 years, according to various records.

Her birth name is Araminta Ross and her parents are both slaves on a plantation in Dorchester County, Delaware, owned by Edward Brodess. As a child, she is handed around to several masters, all of whom prove to be stern disciplinarians and “Minty,” as she is called, is scarred for life by constant whippings. During her teen years, she also receives a severe blow to her head when accidentally struck by a heavy weight thrown at a fellow slave – a wound which leads to seizures the rest of her life.

Around 1844, she marries John Tubman, a free black, and assumes her mother's name, Harriet (“Rit”), which some link to a broader religious epiphany at the time. Despite being the wife of a freedman, her status as a slave is unchanged. In early March 1849, a threat from Brodess to sell her leads to a prayer on her part:

O Lord, if you ain't never going to change that man's heart, kill him, Lord, and take him out of the way.

Edward Brodess does in fact die shortly, and in deep debt. Harriet is now owned by his daughter, Eliza, who puts her and two of her brothers up for sale. When she learns of this, she swears to escape.

There's two things I got a right to and these are Death and Liberty. One or the other I mean to have. No one will take me back alive. I shall fight for my liberty, and when the time has come for me to go, the Lord will let them kill me.

The chance to flee doesn't come until September 17, 1849, when all three siblings escape from a plantation in Caroline County, Maryland, where they have been working on loan to help pay off prior debts. The three hide out over the next few weeks, during which time, Eliza Brodess takes out an ad in the

Cambridge Democrat, offering rewards of \$50 to \$100 apiece for their returns. Included is her description of Harriet:

Minty, aged about twenty-seven, is of a chestnut color, fine looking, and about five feet high.

The three runaways are terrified at this point, and actually return to the plantation; but the stay is brief before Harriet decides to set out again, this time on her own.

Her brothers did not agree with her plans and she walked off alone, following the guidance of the brooks which she had observed, to run North. The evening before she left, she wished very much to bid her companions farewell, but was afraid of being betrayed, so she passed through the streets singing, "Good bye, and I'll meet you in the kingdom," and similar snatches of Methodist songs.

While she never reveals the details of her escape, speculation is that her first stop is probably a Quaker community near the plantation, followed by a trek along the Choptank River into Delaware and north from there into the Free State of Pennsylvania. Her journey is roughly 90 miles long and lasts 2-3 weeks. She is aided along the way by good Samaritans manning outposts of the Underground Railroad.

Harriet settles into her newfound freedom in Philadelphia, working when she can, saving her money, keeping her head down in case of pursuit, and plotting ways to help the rest of her family to escape.

In December 1850, three months after the Fugitive Slave Act becomes law, she makes the first of her many courageous returns to the South, this time to Baltimore to shepherd her niece, Kessiah Bolley, and her two children, to Philadelphia. In the Spring of 1851 she repeats this same rescue routine on behalf of three more slaves, including her brother, Moses. She later brings out three more of her siblings and her parents.

With her own underground railroad network set up between Maryland, Delaware and Pennsylvania, Harriet Tubman will carry out some thirteen expeditions into hostile territory, involving the removal of seventy slaves.

She often brings a revolver with her, earning the nickname "the General" to go along with her "conductor" moniker as "Moses." The gun is both for defense and to encourage everyone to keep up the pace. When asked if she ever shot anyone, she mentions one incident involving a man in her party.

He gave out the second night, saying he couldn't go any further, and would rather go back and die...I told the boys to get their guns ready and shoot him. They'd have done it in a minute; but when he heard that, he jumped right up and went on as well as anybody.

Her escape plans, however, rely much more on deception than force. She favors winter months and Saturday night, when overseers and patrols are at an ebb. She teaches her charges how to react in public if they sense a threat – posing as servants, appearing to be able to read a newspaper, feigning demeanors unlikely to sound alarms. Days are for hiding; nights for travel, especially across high visibility bridges and cross-roads. The fewer that know of her plans, the better, and her trust is hard earned by consistency and reliability.

She is also able to wear whatever personal mask is demanded to make her way.

Her personal appearance is very peculiar. She is thoroughly negro and very plain. She has needed disguise so often that she seems to have command over her face, and can banish all expression from her features, and look so stupid that nobody would suspect her of knowing enough to be dangerous; but her eye flashes with intelligence and power when she is roused.

She finds the hand of the Deity at work in all her actions. Her visions are of the “mysterious Unseen Presence” and, when in danger, she relies on “drawing in my breath and sending it out to the Lord.” A friend observes, “I never met any person of any color who had more confidence in the voice of God, as spoken direct to her soul.”

As her “conductor” work continues and her fame spreads, she is thrown into contact with all of the leading black and white abolitionists of her time – including John Brown, with whom it’s likely she conspires in planning his 1858 armed raid at Harper’s Ferry.

When the Civil War breaks out, Harriet Tubman becomes an active participant, serving under General David Hunter in Hilton Head, South Carolina, first as a hospital nurse, then as a scout mapping backwoods trails, and finally as an armed guide for troops attacking local plantations. For her war service, she is eventually awarded a pension and is buried with full military honors in 1913 on the farm she bought from William Seward in 1859 at Auburn, New York.

Date: 1830’s Forward

The Underground Railroad Runs Across The North And Into Canada

While Harriet Tubman and Levi Coffin emerge as two towering figures in the Underground Railroad, its success depends on a host of other participants, across races and genders, who keep the trains running, often at dire risk to their personal safety.

The majority are forever nameless, especially the good Samaritans across the South who provide hidden transportation, food and other supplies, and encouragement between one “station” and the next. Their anonymity is shared with the local “conductors” and “station masters” who dodge the “patterollers” and bounty hunters, and without whom, the runaways would never make it over the line to safe houses in the North.

Those whose records have survived tend to oversee “terminal stations” in cities scattered just above the Mason-Dixon line and the Ohio River. Their roles are also crucial, welcoming the frightened escapees, receiving updates on conditions within the routes, making fixes to “broken lines,” and helping the process of assimilation into new surroundings.

With the advent of the 1850 Fugitive Slave Act, the threat level at these terminals goes way up. Many homes and other shelters for runaways are widely known and become magnets for Southern “agents” eager to snatch up slaves and freedmen alike. In response, leaders of the Underground Railroad join hands

with other abolitionists in forming local “vigilance committees” to hide runaways and fend off potential captors.

Between the 1820’s and the Civil War, thousands of slaves will work their way to safety and freedom, thanks to the heroic figures who operate the trains. A few are remembered below.

Some Of The Best Known Leaders Of The Underground Railroad

Names	Race	Dates	Station In:	Profile
Isaac T. Hopper	white	1771-1852	New York	Hicksite Quaker, Anti-Slavery Society in NY, depot work plus advisor to blacks on assimilating.
Thomas Garrett	white	1789-1871	Delaware	Quaker, abolitionist and RR depot in slave state, supports H. Tubman, expects violence to end slavery, fined repeatedly, heroic RR supporter.
Josiah Henson	black	1789-1883	Ontario	Md slave, escapes to Ontario in 1830 for rest of life, sets up black Dawn Settlement for runaways.
John Rankin	white	1793-1886	Ripley. OH	Presbyterian minister, link to Theo Weld at Lane, Rankin House right across Ohio R, \$3000 bounty on him, Garrison calls him “my anti-slavery father,” 35 years as RR conductor.
Levi Coffin	white	1798-1877	Indiana	Born in NC, Quaker, abolitionist, runs main depot in west, called “president of the Underground RR”
Stephan Myers	black	1800-1870	Albany	Ex-slave, freed at 18, journalist & founds North Star association, runs Albany station from 1842 on.
Abraham Shadd	black	1801-1882	Delaware	Born free, shoemaker, conductor in Delaware, moves to Ontario in 1850’s where welcomes runaways.
Laura Haviland	white	1808-1898	Michigan	Canadian Quaker goes to US, founds first Anti-Slavery Society in Michigan in 1832, goes South as “conductor,” run Underground RR in Michigan
Samuel Burris	black	1809-1863	Delaware	Born free, goes South as conductor, caught & jailed but backers “buy” him at auction, works with Hunn.
Robert Purvis	black	1810-1898	Philadelphia	Abolitionist leader married to Harriet Forten, heads Pa. Anti-Slavery Soc,

				and Vigilance Committee.
Lewis Hayden	black	1811-1889	Boston	Escapes from Ky through Ripley OH and to Canada, abolitionist lecturer in Boston, houses Ellen & Wm Craft.
Charles T. Torrey	white	1813-1846	Washington	Congregational minister, leads split with Garrison, political link to Smith, runs depot in DC, arrested and dies of TB in jail.
Jermain Loguen	black	1813-1872	Syracuse	Runaway from Tenn, studies at Oneida, opens black schools, bishop in AME, speaker, Syracuse depot.
William Lambert	black	1817-1890	Detroit	Born free, Quaker education, tailor biz in Detroit, Colored Vigilant Com, Canada route, link to radicals Henry G. Garnett and John Brown.
John Jones	black	1817-1900	Elmira, NY	Escapes from Va. to Elmira, from 1851 on funnels slaves to Canada.
John Hunn	white	1818-1894	Delaware	Quaker, farmer, works with Thomas Garret and Samuel Burris on the Underground RR, fined into poverty for abolition activities.
William Still	black	1821-1902	Philadelphia	Mother a runaway, joins Vigilance Committee in 1847, credited with saving 800+ via his Philly station.
Harriet Tubman	black	1822-1913	Philadelphia	Abused slave in MD, runs away, returns South as heroic "conductor," called Moses and the General, linked to John Brown raid & abolitionists.

Chapter 190 – The Fugitive Slave Act Also Provokes John Brown Toward Violent Resistance



Dates:
1837-1851

Sections:

- Brown's Opposition To Slavery Grows Since The 1837 Murder Of Elijah Lovejoy
- Brown Connects With Gerritt Smith And His Group Of Activist Abolitionists
- Brown's "League Of Gileadites" Plans To Attack All Slave-Catchers

Date: 1837 to 1850

Brown's Opposition To Slavery Grows Since The 1837 Murder Of Elijah Lovejoy



Another figure spurred on to increased resistance by the Fugitive Slave Act is John Brown.

Thirteen years have passed since his public pledge in his Ohio church to destroy slavery, in response to the murder of abolitionist Elijah Lovejoy in Alton, Illinois:

Here, before God, in the presence of these witnesses, from this time, I consecrate my life to the destruction of slavery!

At that moment Brown is 37 years old, and has already experienced a transient and challenging life. His study for the ministry in Connecticut is cut short for want of funds; a tannery he opens in New Richmond, Pennsylvania becomes the first of his many business failures; he remarries after his wife dies from childbirth in 1832; then retreats to Franklin Mills, Ohio with his five surviving children to start afresh.

John Brown (1800-1859)

Like his father, Owen, he becomes a "station" master on the Underground Railroad, and intermingles daily with the freedmen living in nearby Hudson. He hires many to work at a new tannery he sets up along the Cuyahoga River, and encourages others to do likewise. His affinity for blacks strike many as extreme, and when he begins ushering freedmen to pews at his church, he is temporarily expelled.

But in no way do these personal set-backs undermine his 1837 oath to end slavery.

By the summer of 1839 he is already formulating a plan to recruit bands of Southern slaves and lead them in violent attacks against Southern plantations – along the lines of Nat Turner’s uprising in 1831.

Before he can act, however, his own life again unwinds. His Franklin Mills tannery folds during the recession which follows Andrew Jackson’s monetary reforms, and on September 28, 1842, a federal court declares him officially bankrupt. When he refuses to vacate his foreclosed land, he is arrested and jailed. A year later, three of his sons and one daughter die suddenly from dysentery.

To revive his economic prospects, he becomes an expert at breeding animals, and forms a partnership in 1843 with a Simon Perkins of Akron, to raise sheep and to promote sales of the fine wool they provide. Since manufacturing of woolens is centered in New England, he picks up his second wife and seven children and moves to Springfield, Massachusetts.

The town has a sizable population of blacks, and is already known as a hotbed of anti-slavery zeal. He joins the Sanford Street Free Church, run by freedmen, and again hires many to work in his warehouse. Among them is one Thomas Thomas, who recalls Brown at age forty-three:

When he was here he was smooth-faced and had black, heavy hair brushed straight up from his forehead. He always dressed in plain browns, something like a Quaker. He wasn’t tall, nor anything of a giant, as some represent, and he wasn’t at all fierce or crazy looking. He was medium in height and he was quiet and agreeable to talk with. He was a gentleman and a Christian.

At the Sanford Street Church Brown also attends lectures by the newly declared abolitionists, including both Sojourner Truth, and Frederick Douglass.

In November of 1847, after dining with Douglass, he hauls out map of the Appalachian Mountain region and describes his plan to lead a slave revolt.

These mountains were placed here to aid the emancipation of your race...I know these mountains well and could take a body of men into them and keep them there in spite of all the efforts of Virginia to drive me out.

Upon hearing this vision, Douglass records his impression of Brown:

Though a white gentleman, he is in sympathy with the black man and as deeply interested in our cause, as though his own soul had been pierced with the iron of slavery.

Sidebar: John Brown’s Twenty Children

John Brown will father twenty children between 1820 and 1854. Seven are with his first wife, Dianthe, who comes from a Puritan family. In later years he remembers her as:

A neat, industrious and economical girl; of excellent character; earnest piety; and good common sense...who maintained a most powerful and good influence over me.

Dianthe dies in 1832, three days after delivering a stillborn son – leaving Brown on his own to raise his five remaining children.

To help out, he hires a housekeeper, a sixteen year old woman, Mary Day. The two quickly fall in love and are married in June 1833, ten months after Dianthe’s death. The first of their thirteen children is born in 1834.

In total, only eight of John Brown’s twenty children will outlive their parents.

Two die as unnamed infants, one stillborn, the other surviving for seventeen days.

Seven die before they are ten, with four of these all struck down in the same month by dysentery.

The remaining three – sons Frederick #2, Watson and Oliver – are killed while participating in Brown’s later rampages in Kansas and Harpers Ferry.

The Fates Of John Brown’s Twenty Children

By Dianthe Lusk	Born	Where	Destiny
John, Jr.	6/21/20	OH	Grows up and marries – dies 1895
Jason	1/19/23	OH	Grows up and marries – dies 1912
Owen	11/4/24	OH	Grows up and dies 1889
Frederick #1	1/9/27	Pa	Dies at four in 1831
Ruth	1/18/29	Pa	Grows up and marries – dies in 1904
Frederick #2	12/21/30	Pa	Murdered 8/30/56 at Osawatomie, KS
Unnamed son	8/7/32	Pa	Stillborn, Dianthe then dies 8/10/32
By Mary Ann Day			
Sarah #1	5/11/34	Pa	Dies at nine – September 1843
Watson	10/7/35	Pa	Dies 10/19/59 of wounds at Harpers Ferry

Salmon	10/2/36	OH	Grows up and marries – dies 1919
Charles	11/3/37	OH	Dies at five – September 1843
Oliver	3/9/39	OH	Killed at Harpers Ferry on 10/17/59
Peter	12/7/40	OH	Died at two – September 1843
Austin	9/14/42	OH	Died at one – September 1843
Ann	12/23/43	OH	Grows up – dies 1926
Amelia	6/22/45	OH	Died at one in 1846
Sarah #2	9/11/46	OH	Grows up – dies 1916
Ellen #1	5/20/48	Mass	Died at one in 1849
Unnamed son	4/26/52	OH	Died at 17 days in 1852
Ellen #2	9/25/54	OH	Grows up and marries – dies 1916

Brown exhibits a particular fondness for three names – Frederick, Sarah and Ellen – and recycles these in honor of children who die young.

Mary Day Brown outlives her husband by a quarter of a century, dying in 1884 in California, where she emigrates during the Civil War.

Date: May 1849

Brown Connects With Gerritt Smith And His Group Of Activist Abolitionists

The combination of John Brown's interests in the wool industry and his outspoken opposition to slavery puts him in touch with a wide range of merchants and other anti-slavery men across New England.

One of these is the philanthropist turned abolitionist, Gerritt Smith, who by now has distanced himself from Lloyd Garrison, and is seeking more aggressive strategies to end slavery, especially through political action.

In 1848, Brown learns that Smith is offering land grants on property he owns in the Adirondack region of upstate New York, the purpose being to create a utopian community of whites and blacks, living and working side by side, exemplifying a social order for America once the slaves are liberated.

Smith's vision immediately appeals to Brown, who buys 244 acres (at \$1 apiece) in New Elba, New York, near Lake Placid – and in May 1849 he sends his family to live there while he remains behind in Springfield to oversee his business.

To succeed financially, he must find buyers for his inventory of fine wool, and to do so, he personally travels to England in 1849. The trip, however, proves a dismal failure, and leads to the collapse of his partnership with Simon Perkins, who bears the brunt of the monetary losses.

As usual, Brown is undeterred by this latest setback, remarking that he was “nerved to face any difficulty while God continues me such a partner.”

Amidst a host of follow-up court trials with creditors, he never loses focus on his crusade against slavery.

He is further refining his plan to rampage through Virginia in 1850, when the Fugitive Slave Act becomes law.

In January, 1851, he responds by organizing a group of some 45 freedmen in Springfield to resist what he considers the latest act of Southern aggression.

He names this band the “League of Gileadites.”

Date: January 1851

Brown’s “League Of Gileadites” Plans To Attack All Slave-Catchers

John Brown will win lasting fame as the first white man to take up arms to liberate American slaves.

But many enslaved blacks precede him in calling for violence as the path to freedom.

Toussaint Louverture’s 1791 revolution against France remains the symbol for all American slaves hoping to overthrow their oppressors. It sparks the 1800 uprising by Gabriel Prosser near Richmond, and Denmark Vesey’s aborted plot in 1822.

The rhetorical war picks up in 1829 when David Walker publishes his famous *Appeal*, first pleading with whites to behave as Christians, and then encouraging violent resistance if nothing changes:

If you can only get courage into the blacks, I do declare it, that one good black man can put to death six white men; and I give it as a fact, let twelve black men get well armed for battle, and they will kill and put to flight fifty whites. The reason is, the blacks, once you get them started, they glory in death.

The whites have had us under them for more than three centuries, murdering, and treating us like brutes; and, as Mr. Jefferson wisely said, they have never found us out—they – not know, indeed, that there is an unconquerable disposition in the breasts of the blacks, which, when it is fully awakened and put in motion, will be subdued, only with the destruction of the animal existence.

Two year later, Nat Turner assembles a band of forty slaves and slaughters some sixty whites in Virginia, before being hunted down and savagely executed by local whites, along with many innocent slaves.

The verbal drumbeat continues in 1842 with the black firebrand, Reverend Henry Highland Garnet, telling his followers to “commence the work of death” if need be:

...Then go to your lordly enslavers and tell them plainly, that you are determined to be free. Appeal to their sense of justice, and tell them that they have no more right to oppress you, than you have to enslave them... If they then commence the work of death, they, and not you, will be responsible for the consequences. You had better all die immediately, than live slaves and entail your wretchedness upon your posterity. If you would be free in this generation, here is your only hope. However much you and all of us may desire it, there is not much hope of redemption without the shedding of blood. If you must bleed, let it all come at once—rather die freemen, than live to be slaves.

Brown’s formation of the League of Gileadites mirrors these earlier initiatives.

It represents his first attempt to realize the revolutionary scheme he shared with Douglass in 1847, organizing a band of blacks and personally leading them in armed resistance – in this case against bounty hunters who may arrive in Springfield. His marching orders in this regard are unequivocal:

Do not delay one moment after you are ready; you will lose all resolution if you do. Let the first blow be the signal for all to engage; and when engaged do not do your work by halves, but make clean work with your enemies....

This call to action in 1851 will be repeated in the years ahead, first during the Kansas crisis of 1856 and then again in 1859 at Harpers Ferry.

Sidebar: The Old Testament Gileadites

For a man who begins each day by gathering his family together to read Bible scripture, it is no surprise that Brown christens his Springfield recruits the “League Of Gileadites.”

The story of the Gileadites is found in the Old Testament Book of Judges.

It tells of the warrior king Gideon, chosen by God to free the people of Israel and return them to the path of righteousness.

Gideon assembles a mighty army of some twenty thousand men at Mt. Gilead, east of the Jordan River, and prepares to assault his Bedouin enemy, the Midianites. Before he can strike, however, the Lord orders him to winnow his forces to the bravest of the brave, the 300 men comprising the “League of Gileadites.”

When the time for battle arrives, the Gileadites are ordered to advance to the sound of their ram’s horn trumpets. The result, according to scripture, is a cascade so loud and frightening that the Midianites flee the field without a fight.

This tale of the power of God’s righteousness combined with man’s courage is memorialized in a 1750 hymn composed by the Methodist, Charles Wesley.

*Blow ye the trumpet, blow
The gladly solemn sound:
Let all the nations know,
To earth’s remotest bound,
The year of jubilee is come;
Return, ye ransom’d sinners, home.*

The hymn becomes one of John Brown’s favorites, and an inspiration throughout his life.

Chapter 191 – Boston Remains The Hotbed Of Resistance To The Fugitive Slave Act



Dates:
February –
April 1851

Sections:

- Runaway Shadrach Minkins Is Rescued From A Courtroom In Boston
- Seven Shadrach Conspirators Are Tried But Acquitted
- Runaway Thomas Sims Is Captured In Boston
- Sims Is Tried And Sent Back To Slavery In Georgia

Date: February 15, 1851

Runaway Shadrach Minkins Is Rescued From A Courtroom In Boston

In February 1851, the national spotlight on the Fugitive Slave Act shines again on the city of Boston, only two months after coverage of the daring escape of Ellen and William Craft.

This time the case involves a runaway named Frederick “Shadrach” Minkins – and results in an act of violence carried out in a federal courthouse by a band of mostly black protesters.

Minkins escapes from Norfolk, Virginia, on May 5, 1850 and arrives, probably by boat, in Boston, where he plans to begin his new life as a free man. He joins the Twelfth Baptist Church and finds a job as a waiter at Taft’s Coffee House on Cornhill Street.

But his Norfolk owner, John DeBree, soon hires a slave-hunter, John Capehart, and sends him north, with legal documents in hand, to retrieve his “property.” Capehart tracks Minkins to Boston and petitions Judge George Curtis to issue an arrest warrant. Given his awareness of the local Vigilance Committee’s history of trying to disrupt “captures,” Capehart plans to take Minkins unawares as he is working at the coffee house.

While U.S. Marshall Patrick Riley carries out the arrest, it involves enough of a raucous that Committee members, protesters, and lawyers show up at the nearby courthouse soon after Minkins arrives in custody. This “defense team” is led by the runaway, Lewis Hayden, now a wealthy merchant who attends “Shadrach’s” church and is a well-known black abolitionist. He is joined at the courthouse by several prominent lawyers, including Robert Morris, the first black admitted to the Massachusetts bar, and Richard Henry Dana, a white Harvard graduate, famous for his Mayflower lineage, his legal practice, and an 1840 sea novel, *Two Years Before The Mast*.

While Capehart hopes to conduct an immediate trial, Minkins' lawyers convince Judge Curtis that they need time to prepare a proper defense. He grants them a three day stay and remands Shadrach to custody.

However, before the prisoner can be taken to jail, a crowd of perhaps two hundred, largely freedmen, burst into the courtroom, overpower the deputies, and haul Shadrach off to safety.

He is hidden for several hours in the attic of a nearby home, before Lewis Hayden escorts him personally to an Underground Railroad site in Concord. From there, Minkins moves along the tracks, ending up in Montreal, where he will spend the remaining twenty-five years of his life.

Date: 1851

Seven Shadrach Conspirators Are Tried But Acquitted

The abolitionists in Boston gloat over Minkins rescue. Reverend Theodore Parker calls it the “most noble deed done in Boston since the destruction of the tea.” Lloyd Garrison overlooks the violence involved to declare, “nobody injured, simply a chattel transformed into a man by unarmed friends of equal liberty.”

The response in Washington is very different.

Both President Fillmore and Secretary of State, Daniel Webster, are appalled by the action of the Boston Vigilance Committee, which they regard as an outright flaunting of the Fugitive Slave Act.

Fillmore cites “dangerous combinations” ready to break the law, while Webster calls it “strictly speaking a case of treason.” Senator Henry Clay demands harsh penalties for all blacks and whites involved.

Meanwhile, the alarm across the South rings even louder – where the storming of the Boston courthouse is portrayed as akin to prior uprisings by blacks aimed at killing whites and ending slavery.

Fillmore responds with a “proclamation:”

I do further command that the district attorney of the United States and all other persons concerned in the administration or execution of the laws of the United States cause the foregoing offenders and all such as aided, abetted, or assisted them or shall be found to have harbored or concealed such fugitive contrary to law to be immediately arrested and proceeded with according to law.

This is followed by the arrest of nine men, all accused of helping Minkins escape.

Included here are Lewis Hayden, who clearly orchestrated the outcome, and Elizur Wright, a white editor of the local *Commonwealth* newspaper and a confirmed Garrison supporter, whose coverage of the affair openly applauds the rescue.

Eventually seven of the nine are tried in court, with their defense led by Senator John P. Hale of New Hampshire, a noted abolitionist in his own right. Despite the evidence against them, all seven are acquitted in what opponents characterize as “jury nullification” – with emotional support for the defendants overriding the facts against them.

The acquittals represent another slap in the face to President Fillmore and his Southern supporters who enacted the Fugitive Slave Act – and stiffens their resolve to avoid any future repetitions.

They will not have long to wait to exhibit their will.

Date: April 1851

Runaway Thomas Sims Is Captured In Boston

The national publicity and federal pressure surrounding the escape of Shadrach Minkins results in a tightened commitment to law and order among public officials in Boston. In turn, the Vigilance Committee mounts posters throughout the city warning all blacks of the increased threats they face.

*CAUTION: Colored People of Boston, one and all.
You are hereby respectfully cautioned and advised to avoid conversing
with the Watchmen and Policemen of Boston who are now empowered
to act by order of the Mayor as Kidnappers And Slave-Catchers.*

The threat becomes reality on April 4, when a runaway named Thomas Sims is arrested by the police.

Sims is seventeen years old at the time, and has been in Boston for only about seven weeks when picked up. His prior years are spent on a large rice plantation in Georgia owned by his master, James Potter. During his time there he has been trained as a mason and bricklayer, skills which make him uniquely valuable. He has actually approached Potter about buying his freedom for the sizable price of \$1800, which he believes he can raise. When this offer is turned aside, Sims decides to escape.

On February 22, he secretly boards a brig, the *M&JC Gilmore*, in Savannah, and talks openly with the captain and crew members, after it is on its way to Boston, telling them that he is a freedman. When he arrives there, he finds a job as a waiter and tries to blend into the life of the city.

But Potter has no intention of allowing the escape to stand, and he goes about his pursuit in systematic fashion. He informs Henry Jackson, a Superior Court judge in Georgia, of his loss, and receives an official order to pursue and capture Sims. He names two witnesses who can personally identify him, and designates one, a John Bacon, to serve as his “agent” to lead the chase.

When Potter learns that Sims is in Boston, an appeal goes to Mayor John Bigelow to support his recapture. Bigelow had failed to send his policemen after Minkins, but in this case he buckles to the pressure.

Officers run Sims down on April 4, 1851, and take him to the same federal courthouse from which Minkins had been rescued by the protesters. Only this time, Bigelow orders a band of soldiers to surround the facility and fire on any potential anti-slavery protesters who might try to free Sims.

Abolitionists quickly come to Sim's defense and organize protest rallies. Lloyd Garrison weighs in, aiming his barbs at Daniel Webster:

Webster has at last obtained from Boston a living sacrifice to appease the Slave God of the American Union.

Fred Douglass offers another option:

The only way to make the Fugitive Slave Law a dead letter is to make half a dozen or more dead kidnappers...carried down South (to) cool the ardor of Southern gentlemen, and keep their rapacity in check.

But the outcome this time will be decided in court before George T. Curtis, the U.S. Circuit Court Commissioner, the same judge involved in the Minkins hearing.

Date: April 1851

Sims Is Tried And Sent Back To Slavery In Georgia



Judge Lemuel Shaw (1781-1861)

The trial of Thomas Sims lasts for several days and involves extensive arguments and cross-examinations by the attorneys involved. In this instance, it is by no means the type of "kangaroo court" hypothesized by many critics of the Fugitive Slave Act.

Sims's defense is led by two highly respected advocates, Charles Greeley Loring and Robert Rantoul, Jr., the latter currently serving as a U.S. congressman from Massachusetts.

The case against Sims is, however, air tight. All required warrants have been executed properly and witnesses attest to his time on the Potter plantation, to his escape, and even to his time aboard the ship from Savannah to Boston.

Against these odds, Loring and Rantoul decide to focus their defense around questioning the constitutionality of the Fugitive Slave Act itself. Loring leads the charge here:

I am profoundly convinced that the law to be enforced is a most dangerous encroachment upon the letter and spirit of the Constitution and upon the fundamental principles of human freedom and social security.

Judge Curtis allows this to play out in some depth during the trial and the final arguments, and acknowledges the issues raised in his final decision.

This decision would require but a very short time to pronounce, if there had not been raised a question of law, which I must examine and pass upon. The learned counsel for the prisoner have argued with great ability the question of the constitutionality of the Act of Congress under which this warrant was issued, and have called upon me, as they had a right to do, to affirm or deny it.

But in the end he concludes that the plaintiff has prevailed and Sims must return to the Potter plantation.

I can entertain no doubt whatever that it is my duty to grant to the claimant the certificate which he demands, and I do accordingly grant it. I feel it to be a public duty, in closing this decision, to express here my deep obligations to the marshal of the United States and to the marshal of the city of Boston, and the various officers serving under them, for the efficiency and prudence with which they have discharged their respective duties connected, with or occasioned by this hearing.

The defense will subsequently appeal to Judge Lemuel Shaw, Chief Justice of the Massachusetts Supreme Court, arguing that the state law banning slavery should provide protection for Sims. While Shaw is himself a lifelong opponent of slavery, he knows that federal law trumps state law, and rejects the plea.

On April 11, 1851, after Curtis renders his decision, Thomas Sim is escorted from the courthouse surrounded by a contingent of 300 sabre-carrying policemen who march him to the wharf, where he is put on a ship and returned to Savannah. Once there, he is taken to the public square and given 39 lashes, then sold on the auction block by Potter to a master in New Orleans.

(Ironically this sale takes him twelve years later to Vicksburg, Mississippi, site of a major Union victory during the Civil War, on July 4, 1863. During the action, Sims escapes to the Union lines and, with a pass signed by U.S. Grant, he makes his way back to Boston as a freedman.)

The Sims affair ends the fugitive slave turmoil in Boston for two years, until the case of Anthony Burns in 1853.

Both sides in the matter claim victory, the local Vigilance Committees citing the Minkins case, and law enforcement authorities doing the same with Sims.

The two Boston incidents, however, have a sizable ripple effect on public sentiment across the North, even among the vast majority, not engaged in the anti-slavery movement.

For some, the mere act of uprooting men and women and thrusting them back into chains, violates the core value of fair play and builds sympathy for all blacks.

For others, it simply raises the blanket feeling of hostility toward the “Slave Power” in the South. After all, slavery is their problem and “deputizing” Northerners to help them solve it is out of bounds.

Chapter 192 – *Uncle Tom’s Cabin* Arouses More Sympathy For Slaves And Runaways



Dates:
June 5, 1851
Forward

Sections:

- *Uncle Tom’s Cabin* Becomes A Best Seller
- Harriet Beecher Stowe’s Journey To Fame
- The Narrative Of The Novel
- Impact Of *Uncle Tom’s Cabin* On The American Public
- The South Responds Initially With Its “Anti-Tom” Novels

Date: June 5, 1851

***Uncle Tom’s Cabin* Becomes A Best Seller**

Eight weeks after Thomas Sims is shipped back to slavery in Savannah, the abolitionist weekly newspaper, *National Era*, publishes the first of forty installments of a new novel written by Harriet Beecher Stowe and titled *Uncle Tom’s Cabin, or Life Among The Lowly*.

The storyline connects with the growing controversy over the Fugitive Slave Act and public interest in the plight of runaways. Readership of the serial is modest at first, but expands rapidly as the drama unfolds around the lives of the central characters, both black and white.

One avid reader is the wife of the Boston book publisher, John J. Jewett, who convinces her husband to negotiate with the author to make the serial into a traditional novel. When other houses express concerns over the subject matter, Jewett’s record as an anti-slavery man works in his favor. Stowe, who is paid a total of \$400 for the entire serialized version, agrees to 10 cents for every copy sold by Jewett – a deal which will make her wealthy.

The first edition of *Uncle Tom’s Cabin* comes out on March 20, 1852. It immediately becomes a best seller, with some 300,000 copies sold in the U.S. in the first year and another one million sold in Britain. Later claims christen it the “top selling novel of the nineteenth century” and second only to the Bible in copies purchased.

When queried about the inspiration for the novel, the author says that it came to her “in a series of visions.”

Date: 1850's

Harriet Beecher Stowe's Journey To Fame



Harriet Beecher Stowe (1811-1896)

It comes as no surprise that Harriet Beecher Stowe's writings should have such a profound impact on awakening more Americans to the evils of slavery – or that she says her pen is guided by sudden epiphanies.

She is, after all, the sixth offspring of the famous Puritan clergyman, Reverend Lyman Beecher, and his wife, Roxana, granddaughter of Revolutionary War General Andrew Ward and an intellectual in her own right.

To be a Beecher is to be a social reformer.

All seven of her surviving brothers become ministers, engaged in shaping the beliefs and values of their congregations and the nation. Included here is Henry Ward Beecher, two years younger than Harriet, but soon to align himself with the wing of Abolitionists who are ready to resort to violence to end slavery.

Two of her four surviving sisters also enter the public arena. The family's first-born, Catharine Beecher, is an educational reformer, who founds the Hartford Female Seminary, where Harriet receives her formal education. Isabella Beecher, the last born girl (1822), becomes the founder of the National Woman's Suffrage Association.

Harriet is born in Hartford, Connecticut, on June 14, 1811, and grows up in an intensely religious environment. She teaches briefly at the Female Seminary before accompanying her family in 1832 to Cincinnati, when her father is named president of the Lane Theological Seminary, whose mission is to prepare Presbyterian ministers for service in the west. Among the faculty is a biblical scholar and recent widower, Calvin Stowe. A romance with Harriet ensues and the two are married in 1836.

In July of 1836, Cincinnati is the scene of a race riot, as white citizens ransack the office of the abolitionist journalist, James Birney, and then turn their fury on the black community. Harriet records her fright at seeing "negroes being hunted like wild beasts," and from then on begins to engage in learning about the lives of the freedmen in her midst.

Her daily life over the next fifteen years is subdued, devoted to having a family – she gives birth to six children between 1836 and 1850 – and caring for them. But as she notes, this hardly seems sufficient for a Beecher child:

I am but a mere drudge with few ideas beyond babies and housekeeping.

To supplement the family income, Harriet writes stories and articles, some published by Gamaliel Bailey an associate of James Birney, in his *National Era* periodical. Bailey's advance to Stowe of \$100 for more content supposedly sparks the *Uncle Tom* serial.

In hindsight she declares that her "vocation is to preach on paper" and that her novel comes to her through talking with blacks in Cincinnati, reading the 1849 autobiography of the runaway Josiah Henson, and in a series of visions, presumably from God.

The first such vision occurs in February 1851 when she sees a black man named Uncle Tom, being whipped to death by two fellow slaves, directed by an overseer, one Simon Legree.

Date: June 1851 forward

The Narrative Of The Novel

The structure of *Uncle Tom's Cabin* actually revolves around two storylines, one set in the North, the other in the South.

The former dramatizes the perilous escape of a slave named Eliza and her son Harry to safety in the North.

Eliza is a house slave, owned by the Shelby family, with a young son and a husband who is on another plantation. When she learns of her indebted master's intent to sell her boy to a slave trader (Mr. Haley), she declares her trust in God and decides to flee. Her escape culminates in a mad, bare-footed dash with Harry across ice floes on the Ohio River, just ahead of her pursuers.

Once there, she seeks shelter at the home of a Mrs. Bird and her husband John, a Senator, who has helped pass the Fugitive Slave Act. Confronted, however, with the heartbreaking reality of Eliza and her son, Mrs. Bird convinces him to put the teachings of the Bible ahead of the legal statutes and take them in:



A Former Slave

Now, John, I don't know anything about politics, but I can read my Bible; and there I see that I must feed the hungry, clothe the naked, and comfort the desolate; and that Bible I mean to follow.

The two runaways then move on, sheltered by anti-slavery Quakers, until Eliza is happily reunited with her husband, who has also escaped. Together the entire family winds its way across Lake Erie to final safety in Canada, a happy ending.

In recounting Eliza's story, Stowe registers two themes in the minds of her predominantly Northern white audience:

- The first being intense sympathy for the plight of a black slave mother fighting for the well-being of her son against the rapaciousness of a Southern slave-holder; and
- Second, the notion that Christians should stand up in opposition to slavery based on the “higher law” taught in the Bible.

Stowe’s Southern narrative ends with tragedy.

It traces the fate of a second slave, “Uncle” Tom, also owned by the Shelby’s and sold to Mr. Haley to pay down his debts. On the way south to the auction block, Tom saves a small child, Eva St. Clare, from drowning and her good-willed father, Augustine, buys Tom from Haley.

For an extended period he lives happily with the St. Clares, and dotes in particular on the angelic, golden-haired Eva. But then she dies suddenly of consumption and Augustine is killed in a barroom fight. When his wife, the unscrupulous Marie St. Clare, sells Tom to a new master, Simon Legree, Stowe is ready to reveal the Christ-like suffering endured by many a slave.

Stowe paints Legree as the symbol of all that is depraved about slavery. He uses his female slaves as prostitutes and tries to “break” Tom through constant humiliation and abuse. But Tom remains stoic and obedient throughout his ordeal. In an attempt to protect two girls, Cassie and Emmaline, from further sexual assaults, Tom aids in their escape.

Despite repeated whippings, he refuses to reveal their hiding place. He is also unwavering in his forgiveness of Legree throughout his ordeal.

I’d give ye my heart’s blood; and, if taking every drop of blood in this poor old body would save your precious soul, I’d give ’em freely, as the Lord gave his for me.

After lingering for several days, Tom finally dies – ironically upon the arrival of a well-motivated Shelby heir (George) who plans to buy him from Legree and set him free.

Stowe weaves many other characters and incidents into this narrative, but the spotlight remains on Tom and Legree.

- With Tom revealing the capacity for unshakeable goodness and ultimate salvation among the blacks; and
- Legree exhibiting the absolute moral decadence residing at the core of human bondage.

Date: 1850’s

Impact Of *Uncle Tom’s Cabin* On The American Public

The most dramatic claim as to the effect of Stowe’s novel comes from one of her sons who reports that, upon meeting his mother at the White House in November 1862, President Lincoln says:

So you are the little woman who wrote the book that started this great war.

Apocryphal or not, there is no doubt that the central characters in the novel – Eliza, Eva, Uncle Tom and Simon Legree – capture the imaginations of Stowe’s readers, and force them to ponder their own prior views about the black race in general and about Southern slavery.

Perhaps the Africans are not so different from whites in caring for their families, trying to obey the scriptures, even seeking eternal salvation – and perhaps the South deserves to be damned for enslaving and abusing them.

Thus Stowe’s allegory plays out across the North, with Uncle Tom, the Christ-like black slave as hero, and the malign Southern master, Simon Legree, as the villain.

As expected, the *Uncle Tom’s Cabin* narrative is immediately attacked in the South.

Date: 1852

The South Responds Initially With Its “Anti-Tom” Novels

Southerners are outraged by how they are portrayed in Stowe’s novel.

The *Southern Press Review* calls the work “a caricature of slavery” which highlights only its “most odious features.”

“Uncle Tom’s Cabin” is...a caricature of slavery. It selects for description the most odious features of slavery—the escape and pursuit of fugitive slaves, the sale and separation of domestic slaves, the separation of husbands and wives, parents and children, brothers and sisters. It portrays the slaves of the story as more moral, intelligent, courageous, elegant and beautiful than their masters and mistresses; and where it concedes any of these qualities to the whites, it is to such only as are, even though slaveholders, opposed to slavery. Those in favor of slavery are slave-traders, slave-catchers, and the most weak, depraved, cruel and malignant of beings and demons.

Mrs. Stowe (also) complains that slavery gives to one man the power over another to do these things. Well...cannot the landlord of Cincinnati turn out a family from his dwelling if unable to pay the rent? Cannot those who have food and raiment refuse them to such as are unable to buy? And does not Mrs. Stowe herself virtually do these very things?

In his diary, Thomas Jefferson Randolph, the former President’s grandson, calls it “garbage,” filled with titillating sex, common to the brothels of New York and designed to ratchet up “sectional hate.”

Mrs. Stowe’s Uncle Tom’s log cabin is a foul and atrocious Libel upon the slave holders of the Southern States, and was a garbage suited to the appetite of sectional hate. As true as if the description of the morals of New York had been drawn from the five points or of Boston from its brothels.

The literary response to Stowe comes in the form of “Anti-Tom” novels penned by Southerners which feature idyllic plantations, run by kindly masters and mistresses, who watch over their invariably childlike slaves, while also offering them Christian instruction and the chance for eternal salvation.

First in this genre is *The Sword and the Distaff*, written by William Gilmore Simms, a prolific Southern author and historian. The story is set in 1780, toward the end of the Revolutionary War, and it follows the efforts of one Captain Porgy to save his rice plantation in South Carolina, which has been ravaged by the British. He does so, but only with the help of his slave, named “Tom,” who returns the respect shown by his master with unerring affection and loyalty. In developing this relationship between Captain Porgy and Tom, Simm’s attempts to debunk Stowe’s stereotype of the typical Southern slave-holder as Simon Legree.

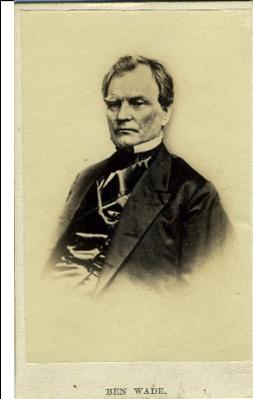
A second rebuttal to Stowe comes from Caroline Lee Hentz in her 1854 novel, *The Planter’s Northern Bride*. Ironically Hentz’s background mirrors Stowe’s, from her birthplace in Massachusetts, her marriage to an underpaid scholar, and her 1832 move to Cincinnati, where she begins her writing career. But from there, Hentz moves first to North Carolina, and then on to Kentucky, Alabama and Florida, immersing herself in the life and culture of the South.

The heroine of *The Planter’s Northern Bride*, Eulalia Moreland, is indoctrinated in the evils of slavery by her New England abolitionist father, before she moves south to become mistress on her new husband’s plantation. Once there, the abusive treatment of the slaves she anticipates fails to materialize. Instead, harmony prevails, with the master providing the kind of guaranteed food, shelter and care for his “servants” that is missing among Northern whites, condemned to factories and sweatshops, and discarded at will by ruthless capitalists.

In addition to this theme of the “protected Southern black servants” versus the “vulnerable white Northern wage slaves,” Hentz turns her enmity on the radical abolitionists who attempt, in the course of her narrative, to provoke an uprising on the tranquil plantation aimed at murdering Eulalia and her husband.

In the 1850’s, a host of other Southern authors join the parade of “Anti-Tom” novels, which eventually number between twenty and thirty in total.

Chapter 193 – Whigs Suffer Losses In Mid-Term Elections



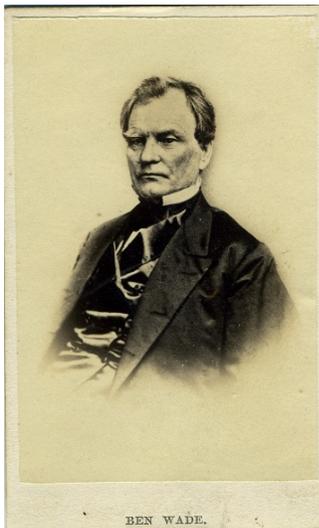
Date:
Fall 1851

Sections:

- Whigs Continue To Fade As A Political Force

Date: Fall 1851

Whigs Continue To Fade As A Political Force



Benjamin Wade (1800-1878)

Amidst the controversy surrounding the 1850 Compromise and the Fugitive Slave Act, the mid-term elections play out for the upcoming 32nd Congress.

The results in the House show accelerating slippage for the Whigs, who give up a total of twenty-two seats – mostly to the Democrats.

Gerrit Smith's abolitionist Liberty Party vanishes for good, and the Free Soilers surrender five seat.

Election Trends In The U.S. House

Party	1844	1846	1848	1850
Democrats	142	112	113	130
Whigs	79	116	108	86
American	6	1	1	0
Free Soil			9	4
Unionist				10
States' Rights				3
Upcoming Congress	29 th	30 th	31 st	32 nd
President	Tyler	Polk	Polk	Fillmore

The most noteworthy shift occurs in the South where a new Unionist Party wins ten seats. It is formed to defend slaver-holder rights without abandoning the Union. Six of the ten seats are won in Georgia, along with three in Mississippi and one in Alabama.

House Trends In Georgia

Party	31 st	32 nd	Change
Democrats	5	0	(5)
Whigs	3	0	(3)
Unionist	0	6	+6
States' Rights	0	2	+2

A second southern initiative, the more strident States Rights Party, captures two seats in Georgia and one in Mississippi, the latter going to its leader, Albert Brown, who calls for the unfettered expansion of slavery, not only into the Mexican Cession lands, but also into Cuba and Central America.

Of course what continues to alarm the South in general is the 61%-39% balance of power margin in the House enjoyed by the Free States of the North. This edge will forever leave the South vulnerable to any future Wilmot-like bans on slavery that might materialize.

Division Of Seats In The House

Years	Free States	Slave States
1800	77	65
1810	105	81
1820	123	90
1830	142	100
1840	141	91
1850	143	90

As usual, the Senate races exhibit much less volatility than the House – with the Whigs losing two seats and the Democrats and Free Soilers adding one apiece.

Election Trends In The U.S. Senate

Party	1844	1846	1848	1850
Democrats	34	38	35	36
Whigs	22	21	25	23
Free Soil			2	3
Other		1		
Vacant	2			
Upcoming Congress	29 th	30 th	31 st	32 nd
President	Tyler	Polk	Polk	Fillmore

The tenor of the chamber, however, is about to change with two new additions who will have a profound effect on the sectional frictions related to slavery in the years to follow.

The first is the Free Soiler, Charles Sumner of Massachusetts, whose cutting tirades on behalf of abolition will shake the future decorum in the upper chamber and lead to physical violence on the floor.

He is joined by Ben Wade, an Ohio Whig and former law partner of Joshua Giddings, who, along with Thad Stevens, have led the abolition forces in the House.

With Sumner and Wade onboard, the Senate now includes a threshold of six prominent politicians ready to assert their moral opposition to slavery.

Key Senators Opposing Slavery On Moral Grounds (1850-51)

Dates	Name	State	Party
1847-53	John P. Hale	NH	Free Soil
1848-61	Hannibal Hamlin	Maine	Democrat
1849-55	Salmon Chase	Ohio	Free Soil
1849-61	Henry Seward	NY	Whig/Rep
1851-69	Ben Wade	Ohio	Whig/Rep
1851-74	Charles Sumner	Mass	Dem/Rep

Chapter 194– Fillmore Embarrassed By Failed Treason Trial In Christiana Runaway Case



Date:
September-
December 1851

Sections:

- Slave Owner Killed During Recapture Attempt In Christiana, Pa.
- The Treason Trial Ends With A Quick Acquittal

Date: September 11, 1851

Slave Owner Killed During Recapture Attempt In Christiana, Pa.

The Shadrach and Sims cases are barely concluded when another Fugitive Slave incident draws national attention, this time in the town of Christiana, Pennsylvania.

It involves four slaves who have escaped from the Maryland wheat farm of their owner, William Gorsuch, to a well-known runaway haven across the border in Pennsylvania overseen by William Parker, a freed mulatto.

Gorsuch secures warrants for all four and proceeds to Parker's place along with his son and a U.S. Marshall. He is met there by a band of some thirty local blacks armed with weapons in the form of farm utensils, clubs and a few muskets. After trying unsuccessfully to enlist a few whites in his posse, a fight breaks out in which Gorsuch is shot dead by Parker, and his son is wounded.

After the battle, Parker and the other runaways flee north through Rochester, New York, where Frederick Douglass helps them on their way to Canada.

When news of this "Christiana Riot" reaches Washington, Fillmore decides to make an example of those involved in the incident by charging them all with the capital crime of treason.

He assigns the prosecutorial task over to U.S. Attorney John Ashmead, who tries at the time to convince the President that resistance to the law did not rise to the level of open warfare against the country. But neither Fillmore nor Secretary of State Daniel Webster are deterred, so Ashmead proceeds.

An indictment is drawn up charging some 41 men – Parker and the other three runaways along with 36 other blacks and five whites – with treason.

The plan is to try them one at a time, and the administration forms a very large legal task force to build the cases.

The first defendant chosen is one Castner Hanway, a white man who apparently wanders into the scene of the battle by happenstance, and refuses to fight alongside Gorsuch when asked.

His trial begins on November 24, 1851.

Date: November 24 to December 11, 1851

The Treason Trial Ends With A Quick Acquittal



Justice Robert Grier (1794-1870)

The two week trial is held in federal court in Philadelphia and is presided over by Associate US Supreme Court Justice, Robert Grier, no friend of the anti-slavery proponents.

Seven different lawyers appear on the government side against five defense attorneys, including congressman Thad Stevens whose home district in Pennsylvania includes Christiana.

The prosecution establishes that Castner Hanway was present during the battle, but fails to show that he either intended, or actually did, take part in the battle.

The argument is so weak that when the lead defense lawyer, Theodor Cuyler, rises, he resorts to untarnished sarcasm to dash the charge of treason.

Treason shall consist only in levying war against the United States . Do the facts of the case sustain the charge? Sir-Did you hear it?

That three harmless, non-resisting Quakers, and eight-and-thirty wretched, miserable, penniless negroes, armed with corn-cutters, clubs, and a few muskets, and headed by a miller, in a felt hat, without a coat, without arms, and mounted on a sorrel nag, levied war against the United States. Blessed be God that our Union has survived the shock.

But the defense is not over, and a second attorney, Joseph Lewis, weighs in with a blistering attack on the Fugitive Slave Act which captures the attitude of northerners toward becoming “active slave catchers” for the South.

It ought always to be remembered, that this business of hunting down fugitives, is the business of the persons from whom they escape, peculiarly, and that we really have nothing to do with it. We have no interest in it-and if the scenes to which such man and woman hunting give rise, are revolting to the sensibilities of our people, it is too much to expect them to assist, and they cannot and will not be frightened into it by prosecutions for treason.

You may irritate and exasperate public feeling, but you cannot make active slave catchers of any respectable men in Pennsylvania , even by threats of the gallows.

If, therefore, the object of this prosecution is to drive our people into an active pursuit of such slaves as may happen to come into our State, it must fail. It cannot and ought not to succeed in the accomplishment of any such object. They will not chase frightened men and women, though they be black, from wood to wood, and from hill to hill, with fire arms and bludgeons, to the great alarm of peaceful neighborhoods, and the scandal of human society.

After a feeble attempt to point out that a U.S. Marshall was engaged and an American citizen died during the fight, the prosecution rests, and Justice Grier sounds the death knell for their narrative in his charge to the jury:

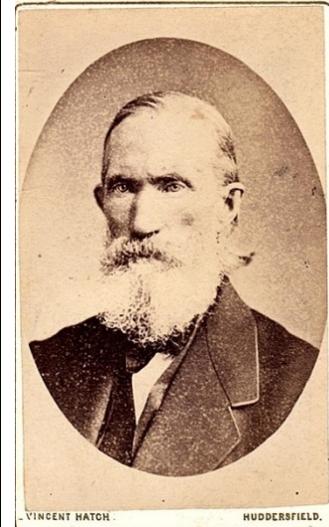
Without desiring to invade the prerogatives of the jury in judging the facts of this case, the Court feel bound to say, that they do not think the transaction with which the prisoner is charged with being connected, rises to the dignity of treason or levying war.

It takes the jury fifteen minutes to return to the court with an acquittal of Castner Hanway – and with that Fillmore’s crusade against the Christiana resisters comes to an end.

Perhaps both Fillmore and Webster gain some additional measure of Southern support from their prosecution, as they eye the 1852 election – but it comes at the expense of intensified anger and ridicule in the North. Thus it is Lewis again who has the last word here on the act itself.

You may irritate and exasperate public feeling, but you cannot make active slave catchers of any respectable men in Pennsylvania , even by threats of the gallows.

Chapter 195– Southern Intellectuals Now Defend Slavery As “A Positive Good”



Dates:
1776 Forward To
The 1850's

- Sections:**
- Sectional Tensions Over Slavery Trace Back To Colonial America
 - Southern Defenses Ramp Up As Expansion Of Slavery Is Threatened
 - The South Goes On The Offense With Their “Positive Good” Claims
 - Hammond’s *Two Letters On Slavery* Attacks The Abolitionists
 - Pseudo-Science Supports Claims Of Black Inferiority

Date: 1776 Forward

Sectional Tensions Over Slavery Trace Back To Colonial America

The rising tension over slavery raised by the “*Tom*” novels is woven into the fabric of America’s political history from the Colonial period to the Civil War. At times it is center stage, a poisonous snake ready to strike at the very stability of the Union – only to recoil itself and slip back into the shadows as its enemies and defenders find momentary accommodations to enable its continued presence.

These accommodations allow the Union to form at the 1787 Constitutional Convention.

By that time, the Northern colonies have begun to wean their economy of dependence on slavery and are pondering ways to entirely rid themselves of their remaining 50,000 Africans. In Philadelphia, a few delegates – men like Gouverneur Morris of New York and Luther Martin of Maryland – join hands in labeling slavery “dishonorable to the American character.” This sounds the earliest political notes favoring emancipation.

Meanwhile the wealth of the South already hinges on the expansion of slavery, and any threats to that outcome are met by stiff resistance. Thus Rawlins Lowndes of South Carolina observes:

Negroes are our wealth, our only natural resource. Yet behold how our kind friends in the North are determined soon to tie up our hands, and drain us of what we have.

In the face of criticism, Southern slaveholders initially adopt a defensive posture. George Mason, places blame for the “infernal traffic” on British merchants – and goes on to cite its ill effects on society as a whole.

This infernal traffic originated in the avarice of British merchants, and they checked the attempts of Virginia to put a stop to it... Slavery discourages arts and manufactures. The poor despise labor when performed by slaves. They prevent the immigration of whites, who enrich and strengthen a country. They produce the most pernicious effect on manners.

James Madison regards the practice as a stain on the Constitution.

I think it wrong to admit in the Constitution the idea that there could be property in men.

Thomas Jefferson acknowledges the moral corruptions inherent in the master-slave relationship.

The whole commerce between master and slave is a perpetual exercise of the most boisterous passions, the most unremitting despotism on the one part, and degrading submissions on the other... Indeed, I tremble for my country when I reflect that God is just: that his justice cannot sleep forever.

But, like other Southern aristocrats of his era, the future President is forever able to rationalize his involvement in slavery as an inevitable dilemma – one lacking any and all ways out.

Slavery is like holding a wolf by the ears – one can neither safely hold him, nor safely let him go.

Date: 1820 – 1850’s

Southern Defenses Ramp Up As Expansion Of Slavery Is Threatened

Challenges to slavery – dormant for decades as America focuses on surviving against foreign threats -- reappear in 1820 “like a fire bell in the night,” as Jefferson says at the time.

This threat comes in the form of the Tallmadge Amendment opposing the introduction of slavery in the new state of Missouri. After the bill passes in the House, backed by the Northern majority, a crisis is averted only through the political acumen of Henry Clay in crafting the Missouri Compromise – with its 36’30” demarcation line, extending the creation of new “Slave States” west through the Louisiana Purchase territories.

From this time forward, Southern arguments on behalf of slavery gradually take on a sharper edge.

One early example rests with Thomas Roderick Dew, son of a planter, who graduates from William & Mary in 1820, teaches metaphysics and economics there, and eventually serves as President of the college from 1836 to his death in 1846. Dew’s contribution comes in the form of his lengthy *Commentary on the Virginia Debate To End Slavery In 1831-32*.

This remarkable debate occurs in the Virginia state legislature in response to Nat Turner's rebellion, where 58 whites are slaughtered by a band of slaves, followed by hundreds of reprisal executions of blacks. The impetus are some forty public petitions which focus on cleansing the state of all Africans, first by freeing the slaves and then shipping them back to Africa. A select committee studies the issues and reports out two resolutions to be voted on by the full body.

One, offered by William Goode, calls for outright rejection of any proposals to emancipate the slaves. The other, from Thomas Jefferson Randolph, asks that a formal plan leading to emancipation be prepared. Actual debating occurs from January 10-25, 1832.

Those favoring emancipation tend to reside west of the Blue Ridge, where personal wealth is less dependent on slavery. They argue that the institution "undermines virtue and morality in the community," makes a mockery of white laborers who work the land with their own hands, reduces privileged families to lives of "idleness and extravagances," and retards the modernization and diversity of the Southern economy. It also leaves the entire white population perpetually vulnerable to more murderous acts of revenge by the Africans living in their midst.

As expected, opponents cite their 5th Amendment rights against government seizure of their property without fair value compensation. They contend that slavery was handed to them by the British, along with the duty of being good stewards in perpetuity, and they have succeeded. In exchange for their labor, the Africans are well cared for, free from worry, and generally happy with their current state.

In rebuttal, William Ballard Preston (later Secretary of the Navy) asserts that slaves are human beings and, as such, should not be treated as "property." Others join in, questioning whether children should be born into slavery, and whether emancipation alone will reduce the risk to all whites of future terror attacks.

The debate ends on January 25, 1832, with a decision to acknowledge the concerns raised in the petitions, but table any further action in regard to emancipation.

Thomas Dew's *Commentary* on this debate provides the framework going forward for all who argue that slavery is a "positive good" for society in general and indeed for the slaves themselves. Thus:

- *Slavery is sanctioned in the Bible: God's chosen people owned slaves and Christ never condemned the practice.*
- *From Greece to Rome to England and America, slavery has been integral to creating great civilizations.*
- *The Africans are inherently inferior to whites and are thus suited to the menial labor they are assigned.*
- *In exchange for this labor they are fed, clothed and protected for life by their paternalistic owners.*

Dew, who owns only one slave his entire life, further concludes that emancipation would cripple the economy of Virginia, and that neither colonization nor assimilation are feasible options.

Date: Spring 1852

The South Goes On The Offense With Their “Positive Good” Claims

Dew’s themes are soon reinforced in Congress by John C. Calhoun of South Carolina, most notably in his famous February 6, 1837 speech in the Senate.

I hold that in the present state of civilization, where two races of different origin, and distinguished by color, and other physical differences, as well as intellectual, are brought together, the relation now existing in the slaveholding States between the two, is, instead of an evil, a good—a positive good.

I hold then, that there never has yet existed a wealthy and civilized society in which one portion of the community did not, in point of fact, live on the labor of the other.

I appeal to facts. Never before has the black race of Central Africa, from the dawn of history to the present day, attained a condition so civilized and so improved, not only physically, but morally and intellectually...I may say with truth, that in few countries so much is left to the share of the laborer, and so little exacted from him, or where there is more kind attention paid to him in sickness or infirmities of age.

I turn to the political; and here I fearlessly assert that the existing relation between the two races in the South, against which these blind fanatics are waging war, forms the most solid and durable foundation on which to rear free and stable political institutions

The Southern “intellectual community” – made up largely of academics, clergymen and literary figures – weigh in behind Dew and Calhoun with a range of lectures and pamphlets which reinforce their assertions.

In response to the national controversy stirred in 1852 by *Uncle Tom’s Cabin*, several of these works are compiled by the Charleston firm of Walker, Richards & Co. into a 512 page book titled *The Pro-Slavery Argument*. Four treatises are featured in the book:

- *Commentary on the Virginia Debate on Slavery (1832)*, by the academician, Thomas Roderick Dew.
- *Memoir on Slavery (1837)*, by the jurist, Chancellor William J. Harper.
- *Two Letters On Slavery In The U. S. Addressed To Thomas Clarkson, Esq. in 1845*, penned by James Henry Hammond, the budding “fire-eater” politician from South Carolina.
- *The Morals of Slavery (1852)*, an essay from the novelist, Dr. George Gilmore Simms.

While the “slavery as positive good” strain flows through each essay, it is Hammond’s emotional defense – laced with the self-exoneration from personal misdeeds common to many masters – that jumps dramatically from the pages.

Date: 1845

Hammond's *Two Letters On Slavery Attacks The Abolitionists*

James Hammond regards himself as the logical successor to John C. Calhoun for his unwavering defense of slavery and of the superior society it facilitates across the South.

He ascends to prominence in South Carolina first through a conniving marriage into wealth and then a legal practice that launches him into Calhoun's Nullifier Party in 1828. From there he will go on to serve in the U.S. House (1835-36) – where he is first to propose the “gag rule” tabling anti-slavery petitions – then as state Governor (1842-44), and finally as a U.S. Senator (1857-60).

Nothing so riles Hammond as the abolitionists, domestic and foreign – and editors of *The Pro-Slavery Argument* choose to highlight this topic by reprinting his *Two Letters On Slavery* directed in 1845 to the famous English emancipator, Thomas Clarkson. Along the way here, Hammond chooses to openly announce many charges leveled at slaveholders by abolitionists, and then attempt to brush them aside. But in doing so, he acknowledges the litany of horrors endured by those enslaved.

As for chains and iron, they are rarely used; never I believe except in cases of running away.

As to willfully selling off a husband or wife or child, I believe it is very rarely done, except when some offense has been committed demanding “transportation.”

But your grand charge is that licentiousness in intercourse between the sexes...necessarily arises from slavery.. I do not intend to admit that this charge is just or true. ..I will say that I wish the subject could be avoided...I will not deny that some intercourse of the sort does take place. It's character and extent, however, are grossly and atrociously exaggerated.

Hammond goes on to assure Clarkson, falsely, of his propriety toward those slaves in his care.

I freely acknowledge my obligation as a man to treat humanely the fellow creatures to whom God has entrusted to my charge.

He closes with the contention that, despite the misguided accusations of the abolitionists, the South's slaves inhabit a virtual “Eden,” free from troubles, and far better off than the laboring classes in England's factories and mines.

And to sum up all...I believe our slaves are the happiest three millions of human beings on whom the sun shines. Into their Eden is coming Satan in the form of the abolitionists...(and) I affirm that in Great Britain the poor and laboring classes of your own race and color, your fellow citizens, are more miserable and degraded, morally and physically, than our slaves.

As sectional conflicts in the 1850's, James Hammond takes his place among the South Carolina "Fire-Eaters" who lobby for secession. His Senate speech of 1858 – "Cotton Is King" – develops his "mudsill theory" of civilizations and adds another chapter to the "positive good" lexicon.

Sidebar: Some Leading Proponents Of The "Slavery As A Positive Good" Defense

Those Southerners touting the "positive good" thesis tend to mirror their opponents in New England – another fervent band of clergymen, academics, literary men, and a few politicians, all prone to airing their beliefs with the hope of shaping public opinion.

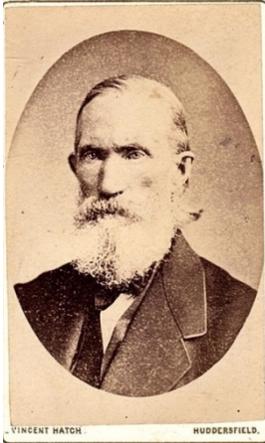
Both are relatively tight knit groups. Dew and Beverly Tucker are colleagues at William & Mary; Tucker's circle includes Simms, Holmes, Ruffin and Hammond; Hammond's legal tutor is Harper; Holmes corresponds with Thornwell, Bledsoe, Simms and Fitzhugh; DeBow's *Review* becomes a go to periodical for the group as a whole.

As with the New England set, the hard-hitting rational prose is complemented by the often more accessible and emotionally moving work of the novelists and poets. If John Greenleaf Whittier often hits the mark for the abolitionists, William Grayson does the same for those ready to believe that enslaving the Africans is ordained in Heaven:

*For these great ends hath Heaven's supreme command
Brought the black savage from his native land,
Trains for each purpose his barbarian mind,
By slavery tamed, enlightened, and refined;
Instructs him, from a master-race, to draw
Wise modes of polity and forms of law,
Imbues his soul with faith, his heart with love,
Shapes all his life by dictates from above.*

Date: 1830's – 1840's

Pseudo-Science Supports Claims Of Black Inferiority



Orson Squire Fowler (1808-1887)

The conviction that blacks are a different and inferior species is consistently used by the South to justify enslavement.

Ironically it is two Northern men who reinforce the beliefs.

One is Dr. Samuel Morton, born in Philadelphia in 1799, who helps found the Pennsylvania Medical School after earning an advanced degree from Edinburgh University in Scotland. His passion is the study of the human anatomy, and he accumulates what is regarded at the time as the world's largest collection of skulls, going all the way back to the Egyptian era. After measuring his specimens, he publishes reports stating that white skulls are larger (82 cubic inches on average) than black skulls (78 cubic inches), and draws two conclusions from his findings.

The first challenges the accepted biblical story that all humans descended from a common set of “parents,” Adam and Eve in the Garden of Eden. Instead Morton argues for what becomes known as “polygenism” – the idea that the races originated as different species, each suited to, and evolving within, their own “provinces” of the globe.

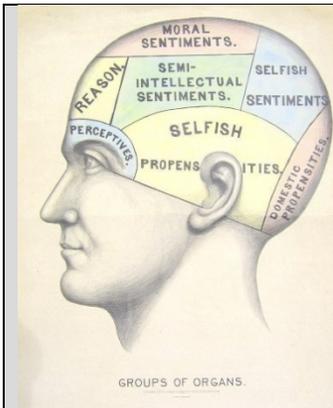
His second conclusion is that the various species differ in terms of their potential to thrive – with Caucasians having greater skull capacity, hence larger brains, inherently advantaged over Negroes, with their smaller crania.

Morton's landmark work, *Crania Americana; or, A Comparative View of the Skulls of Various Aboriginal Nations of North and South America: To which is Prefixed An Essay on the Varieties of the Human Species* comes out in 1839 and earns him the reputation as “father of American physical anthropology.”

A second “scientist” often cited by pro-slavery supporters is Orson Squire Fowler who grows up in Coshocton, New York and graduates from Amherst College in 1829, intent on becoming a minister. While in school, however, he meets Henry Ward Beecher, later a famous clergyman, and together they become fascinated by the emerging “science” of phrenology. It originates with an Austrian physician, Franz Gall, who concludes that examining facial shapes can predict human intelligence and other traits. Thus a skilled phrenologist would explore the contours of a patient's head in search of telltale “bumps” – the bump of superior knowledge or artistry, benevolence or avarice, veneration or hope, combativeness or conjugality.

Beecher eventually dismisses this notion, but Fowler embraces it wholeheartedly, abandons his interest in the ministry and, with help from his brother and wife, becomes the leading American practitioner of phrenology.

Like Morton, Fowler “discovers” racial tendencies from his studies and publishes them in 1843 in *Heredity Descent*, which asserts that the “coarse hair of the negro signals coarse fibers in the brain,” hence poor verbal skills and other traits best suited for nursing children or acting as servants.



A Typical Phrenology Map

Sidebar: Orson Fowler’s Phrenology Phenomenon

The “science” of phrenology is no laughing matter to Orson Fowler’s contemporaries, and he is able to parlay his lectures and his *American Phrenological Journal* into celebrity status for himself and a thriving business to boot.

Between 1838 and 1854 he opens clinics -- first in Manhattan, later in Philadelphia, Boston and even London – where, for \$1.00 to \$3.00, a visitor can receive insights into their own personal “bumps” and associated implications.

Those who stop in for an exam and a reading run from average pedestrians to the sophisticates of the period, among them Ralph Waldo Emerson, Horace Greeley, Oliver Wendell Holmes, Brigham Young, John Brown, Walt Whitman, Clara Barton, James Garfield and the educator, Horace Mann, who declares phrenology “the greatest discovery of the age.”

Many years later, the author Mark Twain visits Fowler and his MD wife at their London venue, using a false identity to “test” the accuracy of their assessment about his personality. His recounting goes as follows:

I made a small test of phrenology for my better information. I went to Fowler under an assumed name.

When I entered his office, Fowler received me with indifference, fingered my head in an un-interesting way, and named and estimated my qualities in a bored and monotonous voice. He said I possessed amazing courage, an abnormal spirit of daring, a pluck, a stern will, a fearlessness that were without limit.

I was simply astonished at this, and gratified, too; I had not suspected it before. But then he foraged over on the other side of my skull and found a bump there called "Caution." This bump was so tall, so mountainous, that it reduced my "Courage" bump to a mere hillock by comparison.

He continued his discoveries...and found a CAVITY in one place where a bump should have been in anybody else's skull...He startled me by saying that that CAVITY represented a total absence of a "Sense of Humor!"

I was hurt, humiliated, resentful, but I kept these feelings to myself. At bottom I believed

his diagnosis was wrong, but I was not certain. In order to make sure, I thought I would wait until he should have forgotten my face and the peculiarities of my skull—and then come back again and see if he had really known what he had been talking about, or had only been guessing.

After three months I went back again, but under my own name this time, heralding my arrival with a card bearing both my name and my nom de guerre. Once more he made a striking discovery—the CAVITY was gone, and in its place was a Mount Everest—figuratively speaking - 31,000 feet high, the loftiest BUMP OF HUMOR he had ever encountered in his life-long experience! Again, I carried away an elaborate chart. It contained several sharply defined details of my character, but it bore no resemblance to the earlier chart.

These experiences have given me a prejudice against phrenology which has lasted until now. I am aware that the prejudice should have been against Fowler, instead of against the art —

But, I am human, and that is not the way prejudices act.

Proponents Of The “Slavery As Positive Good” Argument

Name	Dates	Profile	Writing
James H. Thornwell	1812-1862	Presbyterian minister & Calhoun of the Church	Pro-slavery sermons (1830’s forward)
Thomas R. Dew	1802-1846	Prez Wm & Mary	<i>Commentary on Virginia Debate on Slavery</i> (1832) <i>The Pro-Slavery Argument</i> (1852)
N. Beverly Tucker	1784-1851	Law professor & novelist	<i>The Partisan Leader</i> (1836) <i>The Pro-Slavery Argument</i> (1852)
John C. Calhoun	1782-1850	Political leader of South	<i>Slavery: A Positive Good</i> speech (1837)
William J. Harper	1790-1847	US Senate from SC 1826	<i>Memoir on Slavery</i> (1838)
George F. Holmes	1820-1897	Professor	Letters & journal articles (1840’s forward)
James H. Hammond	1807-1864	House 1835-36 Gov of SC 1844-46 Senator 1857-1860	<i>Two Letters On Slavery</i> To Clarkson (1845) <i>The Pro-Slavery Argument</i> (1852) “Cotton Is King” speech (1858)
J. D. B. DeBow	1820-1867	Publisher	<i>DeBow’s Review</i> (1846 forward)
William G. Simms	1806-1870	Novelist & historian	<i>The Sword and the Distaff</i> (1852) <i>The Pro-Slavery Argument</i> (1852)
George Fitzhugh	1806-1881	Social theorist	<i>Sociology for the South, or, the Failure of Free Society</i> (1854) <i>Cannibals All!, or Slaves Without Masters</i> (1857)
Josiah Clark Nott	1804-1873	Physical anthropology Eugenics	<i>Types of Mankind</i> (1854) <i>Indigenous Races of the Earth</i> (1857)
William J. Grayson	1788-1863	Poet, US House 1833-37	<i>The Hireling and the Slave</i> (1855)
Edmund Ruffin	1794-1865	Planter/soil scientist	<i>Slavery & Free Labor Compared</i> (1855)
Albert T. Bledsoe	1809-1877	West Point, minister, lawyer	<i>An Essay On Liberty And Slavery</i> (1857)

Chapter 196 – Divisions In Both Major Parties Appear As The 1852 Election Approaches

 <p style="font-size: small;">Hon. Alex. H. Stevens Small man weighed less than 100 lbs. no use of his legs.</p>	<p>Dates: Summer 1852</p>	<p>Sections:</p> <ul style="list-style-type: none"> • Several Key Whigs Defect To The New Free Soil And Unionist Parties • Unity Among The Democrats Is Also Being Tested
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Date: Summer 1852

Several Key Whigs Defect To The New Free Soil And Unionist Parties



Alexander Stevens (1812-1883)

As Millard Fillmore’s term nears an end, the Whigs are again left frustrated by the performance of an “accidental” successor to their real choice as President. First it was the “turn-coat,” John Tyler, succeeding General Harrison after one month, in 1841; then the “dough-face,” Fillmore, serving the final 32 months of General Taylor’s presidency, as of 1850.

On top of this, the Whigs suffer major set-backs in the House elections of 1850-51, and are about to lose the two leading pillars of their party. One is their founder, Henry Clay, who has left Washington for his plantation in Ashland, about to die from tuberculosis in June 1852; the other, Daniel Webster, leader of the New England faction, who will pass four months later, in October.

It has been Clay’s “American System” that has held the party together since it first coalesced in 1836. Its tenets have included a strong federal government to be funded by higher tariffs – with revenue spent largely on infrastructure projects, to build the economy and to link the new western states into the east.

Whig cohesion has also rested on dedication to preserving the Union through compromises on often divisive issues like tariff rates and the future of slavery. In the 1840’s most Whig leaders initially oppose the Texas annexation and the Mexican War for fear that the addition of new land will re-open sectional

conflicts – with the South demanding an expansion of slavery and the North intent on preserving the territory for whites only. That fear proves to be the case.

Zachary Taylor tries to end this threat once and for all by embracing a Wilmot-like ban on slavery across the entire Mexican Cession. While Fillmore abandons that course following Taylor’s death, the Whig coalition continues to come apart at the seams over the issue..

The initial schism materializes in 1848 in Massachusetts, where three younger Whigs – Charles Francis Adams, Henry Wilson and Charles Sumner – abandon Daniel Webster, Edward Everett and “the state establishment” to declare their “conscientious objection” to slavery. These three, along with the Ohio jurist, John McLean, Salmon Chase and John Hale find their new home in the Free Soil Party, a catch-all for dissident Whigs and Democrats who oppose the spread of slavery, either on moral or purely racist grounds.

In 1852, it is the Southern Whigs turn to flee the base.

The central defectors here are the two influential Georgians, Robert Toombs and Alexander Stephens, and Reverdy Johnson of Maryland, who has served as Taylor’s Attorney General. Together they form the “Unionist Party” to signal their support for the final 1850 Compromise, which the Whigs opposed.

Fracturing Of The Whig Party (1848-52)

1844	1848	1852
Whigs	Core Whigs Conscience Whigs Cotton Whigs	Whigs Free Soilers Unionists

Together with these departures and the imminent deaths of the two party “giants,” Clay and Webster, the Whigs head into the 1852 race searching for new leaders and with great in trepidation about the likely outcome.

Whig Party Stalwarts And Defectors As Of 1852

Core Whigs	Age	State	1844	1848	1852
Henry Clay	75	Ky	Whig	Whig	Whig
Daniel Webster	70	Mass	Whig	Whig	Whig
Winfield Scott	66	Va	Whig	Whig	Whig
John Crittenden	65	Ky	Whig	Whig	Whig
Edward Everett	58	Mass	Whig	Whig	Whig
John Bell	56	Tenn	Whig	Whig	Whig
Edward Bates	55	MO	Whig	Whig	Whig
Rufus Choate	53	Mass	Whig	Whig	Whig
Millard Fillmore	52	NY	Whig	Whig	Whig
Henry Seward	51	NY	Whig	Whig	Whig
William Graham	48	NC	Whig	Whig	Whig
William Dayton	45	NJ	Whig	Whig	Whig
James Pearce	47	Md	Whig	Whig	Whig
Orville Browning	46	IL	Whig	Whig	Whig
Robert Winthrop	43	Mass	Whig	Whig	Whig
Abraham Lincoln	43	IL	Whig	Whig	Whig
Zachariah Chandler	39	Mich	Whig	Whig	Whig

Whig Party Defectors					
John McLean	67	Ohio	Whig	Free Soil	Free Soil
Reverdy Johnson	56	Md	Whig	Whig	Unionist
CF Adams	45	Mass	Whig	Free Soil	Free Soil
Robert Toombs	42	Georgia	Whig	Whig	Unionist
Cassius Marcellus Clay	42	Ky	Whig	Whig	Anti-Slavery
Charles Sumner	41	Mass	Whig	Free Soil	Free Soil
Henry Wilson	40	Mass	Whig	Free Soil	Free Soil
Alexander Stephens	40	Georgia	Whig	Whig	Unionist
George Julian	35	Indiana	Whig	Free Soil	Free Soil

Sidebar: The Fate Of Henry Clay's Slaves

Henry Clay's death on June 29, 1852 comes after four decades of public service spent on navigating America through one crisis after another, from the War of 1812 to the 1820 Missouri Compromise, the Nullification crisis of 1832 to the Bank Panic of 1837, the Texas Annexation of 1845 and the subsequent Mexican War, to his 1850 Omnibus Bill aimed at resolving sectional strife over admission of the western territories to the Union.

As a young man, he is "Prince Hal," a touch on the wild side, including two duels. But he settles down, studies law, enters politics and founds the Whig Party to combat his bete noir, Andrew Jackson. In turn, he creates the American System to build the infrastructure needed for economic growth; fails in election bids for the Presidency in 1824, 1832 and 1844; and suffers the loss of a son and namesake at the Battle of Buena Vista in a war he had hoped to avoid. All along he is admired by his fellow Whigs, including a young Abraham Lincoln, thirty years his junior.

The issue of slavery haunts his entire time on the national stage. He owns 60 slaves on his Ashland plantation, but is forever guilty about it. He is convinced that the Africans are innately inferior to white men and doubts they could ever be assimilated. Instead they need to be returned home, a goal he sets as co-founder of the American Colonization Society in 1816.

But in 1852, his time has come, and closure is needed on his remaining slaves. His last will sorts them into two groups, those owned before and after 1850. He transfers the former to his wife and sons, with one condition:

In the sale of any, I direct that the members of families shall not be separated without their consent.

His directions for the others are more elaborate and telling.

The issue of all my female slaves, which may be born after the first day of January 1850, shall be free at the respective ages of the males at twenty eight, and of the females at twenty five.

I further...direct that the issue of any of the females, who are so to be entitled to their freedom at the age of twenty five, shall be deemed free from their birth... that they be bound out as apprentices, to learn farming or some useful trade, upon the condition of also being taught to read, to write and to cipher... that the age of twenty one having been

attained, they shall be sent to one of the African Colonies. To raise the necessary funds, if they shall not have previously earned them, they must be hired out a sufficient length of time.

I...enjoin my executors and descendants to pay particular attention to the execution of this provision of my will. And if they should sell any of the females who, or whose issue are to be free, I especially desire them to guard carefully the rights of such issue by all suitable stipulations and sanctions in the contract of sale. But I hope that it may not be necessary to sell any such persons who are to be entitled to their freedom, (except) that they may be retained in the possession of some of my descendants.

Clay’s will lays out a path to emancipation and a return to Africa after learning the life skills he thinks they will need to thrive once they are back home. While that much sounds admirable, the terms are hedged in places. Some of his slaves will be retained for his descendants in perpetuity, while the others will have to wait for more than two decades for their freedom. Thus it is a gesture in the right direction, but still far short of the higher order example set by George Washington in his 1799 testament.

Date: Summer 1852

Unity Among The Democrats Is Also Being Tested

In 1852, the hope among Democrats is that the passage of the 1850 Compromise Bill, cleverly engineered and sold by Stephen Douglas, will be sufficient to hold Southern members in line and cure the internal breeches caused by David Wilmot’s Proviso of 1846.

Party unity has been aided by the return of many Northern “Barburners” who became Free Soilers in 1848 not to oppose slavery, but to seek political revenge for Van Buren’s loss to Polk at the 1844 convention. The “returnees” include both the ex-President and his son.

However the admission of California as a Free State still rankles many Southern Democrats, as does the failure to secure support for extending the 36’30” Missouri demarcation line from the Mississippi River to the west coast.

Two prominent southerners -- Georgia Governor Howell Cobb and Mississippi Senator Henry Foote – signal their displeasure by joining the Unionist movement, which calls for enforcing constitutional sanctions of slavery, while rejecting secession.

Divisions Within The Democratic Party (1848-52)

1844	1848	1852
Democrats	Democrats Free Soilers	Northern Democrats Southern Democrats Free Soilers Unionists

The challenge at the convention will be to avoid more slippage among the Southern contingent.

Northerners, led by the aging Cass and the youthful Douglas, continue to hold out their “popular sovereignty” as the last best hope to extend slavery to the west. But more and more Southerners fear that the outcome in Congress will go against them in the end. Within this latter group, two factions emerge by 1852.

The radical, minority group comprises the political progeny of John C. Calhoun, Fire-Eaters like Robert Rhett, James Hammond, William Yancey, James Mason and David Atchison, who begin to openly call for secession.

They are off-set by moderates who favor holding both their party and the country together on the hope of electing a new Democrat President – albeit likely a Northerner -- who will give in to Southern demands. Included here are two younger leaders in particular, the 44 year old Mexican War hero and ex-Senator from Mississippi, Jefferson Davis, and John C. Breckinridge, son of a famous Kentucky family, at 31 years old, already the head of the Democrat caucus in the U.S. House.

The immediate challenge for these moderate Southerners will be to identify the “right” candidate for the White House in the coming election.

Democrat Party Stalwarts And Defectors As Of 1852

Core Democrats	Age	State	1844	1848	1852
John Calhoun	70	SC	Democrat	Democrat	Dead
Thomas H Benton	70	MO	Democrat	Democrat	Democrat
Lewis Cass	70	Mich	Democrat	Democrat	Democrat
William Marcy	66	NY	Democrat	Democrat	Democrat
William King	66	Ala	Democrat	Democrat	Democrat
James Buchanan	61	Pa	Democrat	Democrat	Democrat
James Guthrie	60	Ky	Democrat	Democrat	Democrat
Sam Houston	59	Texas	Democrat	Democrat	Democrat
John Slidell	59	La	Democrat	Democrat	Democrat
Andrew Butler	56	SC	Democrat	Democrat	Democrat
James Mason	54	Va	Democrat	Democrat	Democrat
Andrew Donelson	53	Tenn	Democrat	Democrat	Democrat
Daniel Dickinson	52	NY	Democrat	Democrat	Democrat
Robert B. Rhett	52	SC	Democrat	Democrat	Democrat
Lin Boyd	52	Ky	Democrat	Democrat	Democrat
Joseph Lane	51	Oregon	Democrat	Democrat	Democrat
Benj Fitzpatrick	50	Ala	Democrat	Democrat	Democrat
Franklin Pierce	48	NH	Democrat	Democrat	Democrat
James Shields	46	IL	Democrat	Democrat	Democrat
David Atchinson	45	MO	Democrat	Democrat	Democrat
James Hammond	45	SC	Democrat	Democrat	Democrat
Andrew Johnson	44	Tenn	Democrat	Democrat	Democrat
Jefferson Davis	44	Miss	Democrat	Democrat	Democrat
RTM Hunter	43	Va	Democrat	Democrat	Democrat
Horatio Seymour	42	NY	Democrat	Democrat	Democrat
Herschel Johnson	40	Georgia	Democrat	Democrat	Democrat
Jesse Bright	40	Indiana	Democrat	Democrat	Democrat
John McClermand	40	Illinois	Democrat	Democrat	Democrat

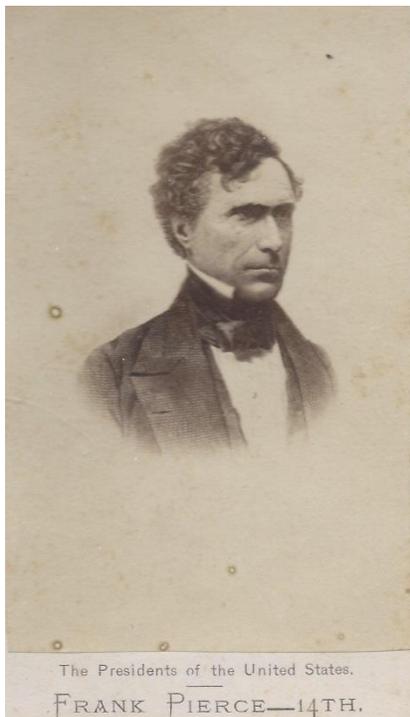
Stephen Douglas	39	IL	Democrat	Democrat	Democrat
Albert Brown	39	Miss	Democrat	Democrat	Democrat
Montgomery Blair	39	MO	Democrat	Democrat	Democrat
John C. Fremont	39	Cal	-----	-----	Democrat
Louis Wigfall	36	Texas	Democrat	Democrat	Democrat
Ben Butler	34	Mass	Democrat	Democrat	Democrat
William Yancey	34	Ala	Democrat	Democrat	Democrat
John Breckinridge	31	Ky	Democrat	Democrat	Democrat
William P. Miles	30	Ala	Democrat	Democrat	Democrat
Defectors					
Martin Van Buren	70	NY	Democrat	Free Soil	Democrat
Francis Blair Sr	61	MO	Democrat	Free Soil	Free Soil
John Dix	54	NY	Democrat	Free Soil	Democrat
Simon Cameron	53	Pa	Democrat	Democrat	Know Noth
Gideon Welles	50	Conn	Democrat	Free Soil	Free Soil
Henry Foote	48	Miss	Democrat	Democrat	Unionist
Preston King	46	NY	Democrat	Free Soil	Free Soil
John Hale	46	NH	Democrat	Independent	Free Soil
Hannibal Hamlin	43	Maine	Democrat	Democrat	Democrat
John Van Buren	42	NY	Democrat	Free Soil	Democrat
David Wilmot	38	Pa	Democrat	Free Soil	Free Soil
Howell Cobb	37	Georgia	Democrat	Democrat	Unionist
Nathaniel Banks	36	Mass	Democrat	Democrat	Free Soil

Chapter 197 – The Parties Hold Their Nominating Conventions In 1852

 <p style="text-align: center; font-size: small;">The Presidents of the United States. FRANK PIERCE—14TH.</p>	<p>Dates: June 1-20, 1852</p>	<p>Sections:</p> <ul style="list-style-type: none"> • The Democrats Need 49 Ballots Before Settling On Another “Doughface” Nominee • A Stalemated Whig Convention Ends On The 53rd Ballot • Conditions Have Changed For The Free Soil Party Since 1848 • A Reluctant John Hale Becomes The Final Party Nominee
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Date: June 1-5, 1852

The Democrats Need 49 Ballots Before Settling On Another “Doughface” Nominee



Franklin Pierce (1804-1869)

The Democrats convene on Wednesday, June 1, 1852, to select their nominee for the White House. The meeting is held in Baltimore at The Maryland Institute For The Promotion Of Mechanic Arts, and runs for five days. The delegates arrive optimistic about their chances. They have regained their dominant congressional majority in the mid-term races and are eager to exploit the rupture between the Core Whigs and the Free Soil and Unionist factions.

That is, if they can find a candidate able to heal the internal wounds related to slavery that materialized in 1846 with the Wilmot Proviso, and were re-opened around the 1850 Compromise Bill. As the initial gavel sounds, the main threat to unity lies with Southern delegates who are dead set on protecting the region’s economic future by extending slavery into the new territories won from Mexico. Most outspoken on this score are the successors to John Calhoun, the Fire-Eaters, older men like Rhett and Mason, and younger counterparts like Yancey and Wigfall – all openly threatening secession if their demands are not met.

The question then becomes whether the more moderate Southerners, among them Davis, Breckinridge and Unionists like Cobb, can coalesce with Northern forces in the hall around someone who can unify the party. Four men are eager to assume that role.

The most obvious is Lewis Cass of Michigan, proponent of the “popular sovereignty” compromise on slavery, and nominee in 1848, carrying 14 of 29 states, and losing to Taylor by a narrow 163-127 margin in electors. But Cass is now seventy years old and facing the fact that no prior loser has ever come back to win the presidency.

Another old hand is William Marcy, age sixty-six, the long-time leader of the party machine in New York known as the Albany Regency, and more recently Polk’s Secretary of War from 1845-49. His loss to Henry Seward in the 1838 race for governor is, however, a concern, and many consider him a regional, not national, figure.

A third option is Stephen Douglas whose political career has been meteoric to date, and, in pushing the 1850 Bill through the Congress, one who has demonstrated his ability to achieve regional consensus. Douglas is a Northern man, who owns a sizable plantation in Mississippi and announces that he will favor Robert TM Hunter of Virginia as his running mate. What weighs against the “Little Giant” is his youth (39 years old) and the fact that his supporters overlap with those of his mentor, Cass.

Thus comes the second most obvious contender, sixty-one year old James Buchanan of Pennsylvania. On paper his credentials are pristine. Ten years in the House; Ambassador to Russia; another ten in the Senate; then Polk’s Secretary of State. But lurking around the edges of this track record are “character issues,” some whispered, others said out loud. In an age of rough and tumble masculinity, Andrew Jackson will refer to Buchanan as “Aunt Nancy,” for his delicate mannerisms and affectionate behavior toward a Washington housemate, Senator William King of Alabama. Jackson’s protégé, James Polk, also exhibits frustration with his Secretary of State on multiple occasions, most often around waffling on policy recommendations (Oregon and Mexico expansion) to improve his own presidential prospects. Still, most delegates view Buchanan as the most likely option to Cass, as the voting begins.

On the first ballot, Cass leads Buchanan while falling some 30 votes short of the clear majority needed to win. By the 21st round, Cass fades, with Buchanan and Douglas gaining momentum. The 29th ballot – taken on Friday -- finds many Cass supporters switching to Douglas, testing his ability to win the nomination. But this too fails.

On Saturday morning comes another upheaval, with Cass making a remarkable comeback on the 34th tally, sourcing votes from both Douglas and Buchanan. But again the pro-Cass faction is unable to find the eighteen additional backers he needs to win.

On the 35th roll-call a new name appears for the first time when Virginia suddenly casts its 15 votes for forty-seven year old Franklin Pierce of New Hampshire, who has been out of public office for a decade.

Another twist occurs on the 46th ballot, with William Marcy jumping into the lead for the first time. But like the others, Marcy is unable to tack on more support. By the 48th round the delegates finally realize that none of the original four front-runners are viable, which forces everyone to ponder the “fallbacks” available.

The answer comes on the 49th tally, after James Dobbin, the head of the North Carolina delegation which had backed Buchanan, heralds Pierce for supporting the 1850 Compromise and the Constitution. The result is a stampede to Pierce as the standard bearer for 1852.

Full Voting Results At The 1852 Democratic Convention (149 Needed To Win)

Candidate	1	2	12	21	29	34	35	46	48	49
Lewis Cass	116	118	98	60	27	130	131	78	72	2
James Buchanan	93	95	88	102	98	49	39	28	28	0
Stephen Douglas	20	23	51	64	91	53	52	32	33	2
William Marcy	27	27	27	26	26	33	34	98	89	0
Franklin Pierce	0	0	0	0	0	0	15	44	55	282
Others	40	33	32	44	54	31	25	16	19	10

Unlike James Polk in 1844 – who enjoyed Jackson’s backing prior to the convention – Pierce is a genuine dark horse victor in 1852. He does, however, fit the model that Cass established for Democratic candidates, a Northern man by geography who is willing to bend on slavery to the Southern members of the party. In other words, a “Doughface.”

His nomination demonstrates that while the South can no longer hope to place one of their own in the White House, they can, by holding together, veto any Northerner who is put forward.

As another sop to the South, the exhausted delegates choose Buchanan’s ally, William Butler of Alabama, as Pierce’s running mate. They also adopt a platform that pledges to enforce the 1850 Bill, including the Fugitive Slave Act, and end further agitation over constraints on slavery.

When word of the outcome reaches Pierce, rumor has it that his wife, Jane, faints on the spot.

Date: June 17-20, 1852

A Stalemated Whig Convention Ends On The 53rd Ballot



Winfield Scott (1786-1866)

Twelve days after the Democrats depart the Maryland Institute, the Whigs pour into the same site for a nominating convention also marked by controversy.

An ominous tone hangs over the gathering from the beginning -- with Henry Clay, the father of the party, lying on his deathbed in nearby Washington, and the second Whig pillar, Daniel Webster, reeling politically from his March 7 speech supporting the Fugitive Slave Act.

Then there are the losses suffered in the mid-term elections, and the very mixed reactions within the party to their own sitting President. Millard Fillmore was no more than an afterthought at the 1848 convention, and his track record, after being thrust into office by Taylor’s death, has been mediocre. Rumor also has it that after giving Webster, his Secretary of State, a green light to win the nomination in 1852, he has characteristically changed his mind and entered the race. This move apparently galls the crusty Webster who, at seventy, is described as a “poor, decrepit old man,” already suffering from the cirrhosis that will kill him five months hence.

Given these reservations about Fillmore and Webster, a third figure, General Winfield Scott, presents himself as a prominent option. Scott is sixty-six at the time, standing 6'5", weighing 300 lbs. and fitting Thurlow Weed's political dictum to ride a military hero to victory. This model worked with Harrison and Taylor, so why not again with Scott.

The first two days of the convention are devoted to administrative matters and the passage of a platform. A Southern version is rejected by a 227-66 margin in favor of a very brief alternative consisting of eight "sentiments." The first seven reflect traditional Whig doctrines, stated as generalities. The eighth, however, takes a firm stand in support of the 1850 Bill and the Fugitive Slave Act, and an end to sectional "agitation."

That the series of acts of the Thirty-first Congress,—the act known as the Fugitive Slave Law, included—are received and acquiesced in by the Whig Party of the United States as a settlement in principle and substance, of the dangerous and exciting question which they embrace; and...we will...insist upon their strict enforcement...and we deprecate all further agitation of the question thus settled, as dangerous to our peace; and will discountenance all efforts to..renew such agitation.

Next comes nominations for president, with the first roll call setting the stage for the grinding deadlock to follow. Fillmore leads with 133 votes to Scott's 131, with Webster trailing far behind. A minor shift occurs on the eighth tally, with Scott moving ahead – but from then on the two front-runners remain stalemated.

Calls to change the rules from a majority to a simple plurality are rejected, and June 19 ends on the 46th ballot, with Scott at 134 votes, Fillmore hanging on to 127, and the delegates scrambling to find a way out.

They do so over the course of seven roll calls on the final day – marked not by a sudden rout, but rather by very gradual slippage from Fillmore to Scott. On the 52nd ballot, the General falls one shy of a majority. On the 53rd he wins as six Fillmore and five Webster men come to his side.

Voting At The 1852 Whig Convention (149 Needed To Win)

Candidate	1	8	46	47	48	49	50	51	52	53
Millard Fillmore	133	131	127	129	124	122	122	120	118	112
Winfield Scott	131	133	134	135	137	139	142	142	148	159
Daniel Webster	29	29	31	29	30	30	28	29	26	21
Others	3	3	4	3	5	5	4	5	3	4

Before adjourning, William A. Graham is chosen unanimously as Scott's running mate. Graham, at forty-eight, has served as Senator and Governor of North Carolina, and is currently Fillmore's Secretary of the Navy.

What is most amazing about Scott's victory is the inability of Fillmore to convince Webster to shift his "difference-making" votes to his side over more than fifty roll calls. At one point in his career, Webster was his mentor. Then, after Webster alienates his Massachusetts' constituents by supporting the Fugitive

Slave Act, Fillmore embraces him as his Secretary of State. The fact that this history between the two men doesn't lead to a Fillmore nomination must attest to Webster's pique over the President's change of mind about running again in 1852.

Date: August 11-12, 1852

Conditions Have Changed For The Free Soil Party Since 1848

Eight weeks after the close of the Whig's convention, remaining members of the Free Soil Party gather at the Masonic Hall in Pittsburgh for what will be their final active political campaign.

The party origins trace back to Salmon P. Chase who concludes in 1844 that the abolitionist Liberty movement will never achieve enough political scale to halt the further spread of slavery. His response is to attempt a merger between the Liberty men and dissidents from the two major parties – namely the Conscience Whigs along with the “Barnburner” and Wilmot Democrats.

In 1848 these disparate elements band together behind ex-President Martin Van Buren and a platform, written by Chase, which asserts that slavery should be banned in the west. The abolitionist wing of the party applauds this ban on moral grounds, while others, like David Wilmot, simply want to reserve the new soil for white men only. Despite these radically different motivations, the new party rallies in 1848 behind the slogan:

Free Soil, Free Speech, Free Labor, and Free Men

Each element carries weight with various coalition members.

- “Free soil” signals “free of all blacks” to some along with “free land grants” for settlers to all.
- “Free speech” is a jab at the Slave Power for trying to “gag” the voice of those opposing slavery.
- “Free labor” reasserts the “dignity” of white men’s work vs. the demeaning toil of the enslaved.
- “Free men” signals Chase’s claim that the founder’s intended to have slavery vanish over time.

In 1848, with Van Buren heading the ticket, the Free Soil Party wins 10% of the popular vote, along with two vocal senators, John Hale and Chase himself.

Results Of 1848 Presidential Election

	Party	Pop Vote	%
Taylor	Whig	1,361,393	47.3%
Cass	Democrat	1,223,460	42.5
Van Buren	Free Soil	291,501	10.1
G. Smith	Liberty	2,545	0.1
Other		285	---
		2,879,184	100.0

By 1852, however, the “marriage of convenience” that spawned the Free Soil Party in 1848 has come apart at the seams.

The most telling blow finds many of the Barnburners and Wilmot men returning to their Democratic Party home after the loss by Cass – their political revenge having been taken against Southern elements who denied their hero, Van Buren, the nomination in 1844. Included here are Martin Van Buren and his son, “Prince” John, along with John Dix and others now ready to again don the Democratic mantle and back a New Englander like Franklin Pierce.

Once the Van Buren men depart, what remains of the original Free Soil coalition are those who oppose slavery on moral grounds.

Included here are the Liberty Party abolitionists – rallying around Gerrit Smith, James Birney and the Tappan brothers – and others like John Hale, Joshua Giddings, Henry Wilson, Charles Francis Adams, Owen Lovejoy and Chase himself.

Despite their depleted numbers, the remaining Free Soilers come together on August 11 to piece together a credible platform and to choose candidates for 1852.

Date: August 11-12, 1852

A Reluctant John Hale Becomes The Final Party Nominee



John P. Hale (1806-1873)

Over two hundred delegates are on hand as the convention opens on Wednesday, August 11. They represent a mix of older and younger figures in the abolitionist movement, among them the Reverend Charles Finney, whose “Second Great Awakening” revival meetings in the 1830’s sparked many to join the anti-slavery crusade.

One notable absentee is Salmon Chase, whose dalliances with the Democrats have distanced him by now from the party he founded.

Procedural matters dominate the first day. Henry Wilson, the Massachusetts Conscience Whig, is chosen to preside; a committee adjourns to nearby LaFayette Hall to work on an updated platform; various luminaries including Frederick Douglass offer up speeches to those left in the hall.

Douglass’ inflammatory remarks on the Fugitive Slave Act are particularly notable for their virulence:

The only way to make the Fugitive Slave law a dead letter is to make half a dozen or more dead kidnapers. A half dozen...carried down South would cool the ardor of Southern gentlemen, and keep their rapacity in check.

Action picks up on day two, with lively debates over various aspects of the platform, especially in relation to slavery. Two key planks draw much of the attention:

Number 4. That the early history of the Government clearly shows the settled policy to have been, not to extend, nationalize and encourage, but to limit, localize and discourage Slavery; and to this policy, which should never have been departed from, the Government ought forthwith to return.

Number 14. That slavery is a sin against God, and a crime against man, the enormity of which no law nor usage can sanction or mitigate, and that Christianity, humanity, and patriotism alike demand its abolition.

Several delegates lobby for a plank specifically addressing the Fugitive Slave Act:

That not only do we condemn and trample upon the enactment called the Fugitive Slave Law...but we hold all forms of piracy, and especially the most atrocious and abominable one of Slavery to be entirely incapable of legislation.

This leads to a discussion about “resistance,” including the possibility of “opposing the law with carnal weapons.”

The philanthropist Gerritt Smith disavows violence, but Joshua Giddings disagrees, referring to those who killed the slave-catcher Gorsuch (in the “Christina Affair”) as “the most efficient protectors of our Constitution.” Charles Francis Adams quickly pushes back by saying that any resort for violence would permanently alienate Southerners troubled by the ethics of slavery.

Lewis Tappan proposes a platform alternative replacing Numbers 4 and 14 with a single alternative:

That as American slavery is a sin against God and a crime against man, it is in the highest sense invalid, illegal, not law, either divine or human; and is therefore utterly void, and of no force, before God and man.

The Reverend Owen Lovejoy, brother of the slain abolitionist editor, Elijah Lovejoy, finds Tappan’s option wanting, and a third option reaches the floor:

That as American slavery is a sin against God and a crime against man, which no human enactment can make right; and that Christianity, humanity, and patriotism alike demand its abolition.

This option seems to please both sides, and it is approved by a 192-15 margin.

Attention then shifts to Land Reform and approval is given to a plank demanding that ownership of the new western territories be retained by the national government for the purpose of granting small parcels to settlers, free of charge.

That the public lands of the United States belong to the people, and should not be sold to individuals nor granted to corporations, but should be held as a sacred trust for the benefit of the people, and should be granted in limited quantities, free of cost, to landless settlers.

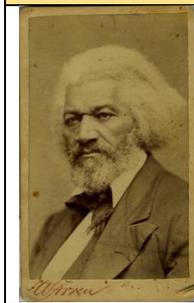
This motion is enthusiastically approved, as part of the “Free Soil” promise of the Party.

With the platform approved, the delegates move on to the nominating process, which is anti-climactic and largely a fiasco. They select abolitionist Senator John P. Hale of New Hampshire by 192-15 on the first ballot – even though Hale has already indicated that he is not interested in running. Their Vice-Presidential choice is House member George Julian of Indiana, a well-known advocate for land reform and immediate emancipation.

August 12 marks the end of the Free Soil Party as a stand-alone political entity.

But within the next four years its core principal – opposition to the *nationalization* of slavery – will be picked up by the new Republican Party and used once again to unite different Northern factions against a fracturing Democratic opposition.

Chapter 198 – Frederick Douglass’ *Fourth of July Address Pleads For An End To Slavery*



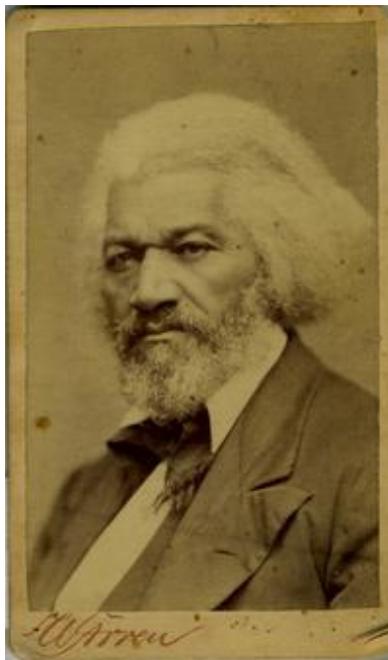
Dates:
May 1851 to
July 1852

Sections:

- Fred Douglass Delivers His Famous Speech: *The Meaning of the Fourth of July for the Negro*
- Douglass Begins Provocatively By Asking Why He Was Chosen To Speak
- He Asks His Audience To Recognize “The Equal Manhood Of The Negro Race”
- Emotions Spill Out As He Paints The Picture Of Slavery
- Douglass Turns His Fury On Congress And America’s Churches
- The Speech Ends On A Note Of Hopefulness
- Sojourner Truth’s “Ain’t I A Woman” Address Pleads For The Rights Of Women

Date: July 5, 1852

Fred Douglass Delivers His Famous Speech: *The Meaning of the Fourth of July for the Negro*



Fred Douglass (1818-1895)

As America is celebrating Independence Day of 1852, Frederick Douglass seizes the opportunity to deliver one more lecture to white America about the ongoing national sin of slavery.

Since passage of the Fugitive Slave Act, the public spotlight has shown on the famous Boston runaway cases – the Crafts in December, 1850, Minkins in February 1851, Sims in April 1851 – and on Harriet Beecher Stowe’s best seller, *Uncle Tom’s Cabin*, finally published in book form in March 1852. Interspersed with these events is a steady backlash from Southern writers now coalescing around the “slavery as a positive good” rationale.

By 1852, Fred Douglass has broken with Lloyd Garrison, much to the chagrin of his former mentor.

The impetus seems to center on Douglass’ growing conviction that Garrison’s strategy for ending slavery will never succeed, for two reasons: first, by refusing to seek political support for emancipation in Congress; second, by ruling out all forms of violent protests to seek more rapid change.

In response, Douglass moves into the “political camp” alongside Gerritt Smith, James Birney, and the fledgling Liberty Party. He brings with him his newspaper, *The North Star*, and his star power on the lecture tour. With monetary support from Smith, he sponsors several new initiatives, including the National Black Council and the Black Manual Training School.

Finally an aggrieved Garrison decides to respond, calling his former protégé “an artful and unscrupulous schismatic.” This leads Harriet Beecher Stowe to intervene and restore a sense of peace between the two men.

But peace is the last thing on Douglass' mind in July 1852, when he delivers what many consider his greatest public address, *The Meaning of the Fourth of July for the Negro*.

The speech is delivered on July 5, 1852, at the Corinthian Hall in Rochester, New York, where Douglass resides. It is sponsored by the "Ladies of the Rochester Anti-Slavery Sewing Society," and draws a crowd of some 500 attendees, each paying twelve and one half cents for the event.

While more measured in tone, the Douglass speech has all the emotional power of David Walker's 1829 *Appeal* and Henry Highland Garnet's 1843 *Address to the Slaves of the United States*.

Its message is a simple plea to white America to recognize the shared humanity of black men and women and, in so doing, to end the immorality and suffering caused by slavery and racism.

Date: July 5, 1852

Douglass Begins Provocatively By Asking Why He Was Chosen To Speak

The speech itself is very lengthy and proceeds in stages like a legal brief.

It opens with Douglass offering a preamble that acknowledges the remarkable courage and patriotism underpinning the Fourth of July Day celebrations. In the face of abuses by their British parent, the colonists found justice in rebellion. The result was glorious freedom, worthy of remembrance.

The Fourth of July...is the birth day of your National Independence, and of your political freedom...The fathers of this republic...preferred revolution to peaceful submission to bondage. They were quiet men; but they did not shrink from agitating against oppression... With them, justice, liberty and humanity were "final"; not slavery and oppression....Fellow Citizens, your fathers...succeeded; and to-day you reap the fruits of their success.... Of this fundamental work, this day is the anniversary. Our eyes are met with demonstrations of joyous enthusiasm. Banners and pennants wave exultingly on the breeze.

But then he shifts suddenly to the present, and startles his largely white audience by asking why they have chosen him, a Negro, to speak about the Fourth of July – when it is their day of celebration, not his.

Fellow-citizens, pardon me, allow me to ask, why am I called upon to speak here to-day? What have I, or those I represent, to do with your national independence? ...Do you mean to mock me, by asking me to speak? I (ask) with a sad sense of the disparity between us (for) I am not included within the pale of this glorious anniversary!... This Fourth July is yours, not mine....Above your national, tumultuous joy, I hear the mournful wail of millions! whose chains, heavy and grievous yesterday, are, to-day, rendered more intolerable by the jubilee shouts that reach them.

He answers his own question by concluding that his presence must reflect a wish by the attendees – addressed with unrelenting irony as “fellow citizens” – to hear how the slaves feel about Independence Day. He promises to explain this using “the severest language” he can command.

My subject, then, fellow-citizens, is American slavery...(and to) see this day and its popular characteristics from the slave's point of view.... I will, in the name of humanity which is outraged, in the name of liberty which is fettered, in the name of the constitution and the Bible which are

disregarded and trampled upon, dare to call in question and to denounce, with all the emphasis I can command, everything that serves to perpetuate slavery-the great sin and shame of America! "I will not equivocate; I will not excuse"; I will use the severest language I can command; and yet not one word shall escape me that any man, whose judgment is not blinded by prejudice...shall not confess to be right and just.

Date: July 5, 1852

He Asks His Audience To Recognize “The Equal Manhood Of The Negro Race”

He wonders how white people can still be “blinded by prejudice” against blacks when they are exposed daily to the shared commonalities between the races played out around them day after day. Surely the evidence shows the “equal manhood of the Negro race.”

(In) affirm(ing) the equal manhood of the Negro race... is it not astonishing that, while we are ploughing, planting, and reaping, using all kinds of mechanical tools, erecting houses, constructing bridges, building ships, working in metals of brass, iron, copper, silver and gold; that, while we are reading, writing and ciphering, acting as clerks, merchants and secretaries, having among us lawyers, doctors, ministers, poets, authors, editors, orators and teachers; that, while we are engaged in all manner of enterprises common to other men, digging gold in California, capturing the whale in the Pacific, feeding sheep and cattle on the hill-side, living, moving, acting, thinking, planning, living in families as husbands, wives and children, and, above all, confessing and worshipping the Christian's God, and looking hopefully for life and immortality beyond the grave, we are called upon to prove that we are men!

Once conceding that the Negro is a man, denying his right to “own his own body” becomes “ridiculous.”

Would you have me argue that man is entitled to liberty? that he is the rightful owner of his own body?... To do so, would be to make myself ridiculous, and to offer an insult to your understanding.-There is not a man beneath the canopy of heaven that does not know that slavery is wrong for him.

Equally indefensible are the abuses suffered by those who are enslaved.

What, am I to argue that it is wrong to make men brutes, to rob them of their liberty, to work them without wages, to keep them ignorant of their relations to their fellow men, to beat them with sticks, to flay their flesh with the lash, to load their limbs with irons, to hunt them with dogs, to sell them at auction, to sunder their families, to knock out their teeth, to burn their flesh, to starve them into obedience and submission to their masters? Must I argue that a system thus marked with blood, and stained with pollution, is wrong? No! I will not. I have better employment for my time and strength than such arguments would imply.

Looking out on his audience, he asks again “what remains to be argued?” Instead of rhetoric, what America needs is “the whirlwind” to reveal the “hypocrisy” and “crimes against God” inherent in slavery.

At a time like this, scorching irony, not convincing argument, is needed. O! had I the ability, and could reach the nation's ear, I would, to-day, pour out a fiery stream of biting ridicule, blasting reproach, withering sarcasm, and stern rebuke. For it is not light that is needed, but fire; it is not the gentle shower, but thunder. We need the storm, the whirlwind, and the earthquake. The

feeling of the nation must be quickened; the conscience of the nation must be roused; the propriety of the nation must be startled; the hypocrisy of the nation must be exposed; and its crimes against God and man must be proclaimed and denounced.

He concludes this section by cycling back to the Fourth of July – a day of celebration for whites, a reminder of “gross injustice and cruelty” for those enslaved.

What, to the American slave, is your 4th of July? I answer; a day that reveals to him, more than all other days in the year, the gross injustice and cruelty to which he is the constant victim.

Date: July 5, 1852

Emotions Spill Out As He Paints The Picture Of Slavery

In the most emotional part of the address, Frederick Douglass tries to bring to life the realities of what slaves are forced to endure, for those in the hall. In these few sentences, he becomes “the whirlwind” made manifest.

Behold the practical operation of this internal slave-trade, the American slave-trade, sustained by American politics and American religion. Here you will see men and women reared like swine for the market.

Mark the sad procession, as it moves wearily along, and the inhuman wretch who drives them. Hear his savage yells and his blood-curdling oaths, as he hurries on his affrighted captives!

There, see the old man with locks thinned and gray. Cast one glance, if you please, upon that young mother, whose shoulders are bare to the scorching sun, her briny tears falling on the brow of the babe in her arms. See, too, that girl of thirteen, weeping, yes! weeping, as she thinks of the mother from whom she has been torn!

The drove moves tardily. Heat and sorrow have nearly consumed their strength; suddenly you hear a quick snap, like the discharge of a rifle; the fetters clank, and the chain rattles simultaneously; your ears are saluted with a scream, that seems to have torn its way to the centre of your soul. The crack you heard was the sound of the slave-whip; the scream you heard was from the woman you saw with the babe. Her speed had faltered under the weight of her child and her chains! that gash on her shoulder tells her to move on.

Follow this drove to New Orleans. Attend the auction; see men examined like horses; see the forms of women rudely and brutally exposed to the shocking gaze of American slave-buyers. See this drove sold and separated forever; and never forget the deep, sad sobs that arose from that scattered multitude.

Tell me, citizens, where, under the sun, you can witness a spectacle more fiendish and shocking. Yet this is but a glance at the American slave-trade, as it exists, at this moment, in the ruling part of the United States.

In the solitude of my spirit I see clouds of dust raised on the highways of the South; I see the bleeding footsteps; I hear the doleful wail of fettered humanity on the way to the slave-markets,

where the victims are to be sold like horses, sheep, and swine, knocked off to the highest bidder. There I see the tenderest ties ruthlessly broken, to gratify the lust, caprice and rapacity of the buyers and sellers of men. My soul sickens at the sight.

Date: July 5, 1852

Douglass Turns His Fury On Congress And America's Churches

He asks who is to blame for these abominations – and begins with the passage of the “shameless” Fugitive Slave Act in congress.

By an act of the American Congress, not yet two years old, slavery has been nationalized in its most horrible and revolting form. By that act, Mason and Dixon's line has been obliterated; New York has become as Virginia; and the power to hold, hunt, and sell men, women and children, as slaves, remains no longer a mere state institution, but is now an institution of the whole United States....In glaring violation of justice, in shameless disregard of the forms of administering law, in cunning arrangement to entrap the defenceless, and in diabolical intent this Fugitive Slave Law stands alone in the annals of tyrannical legislation.

America's churches and clergy are also complicit in their “wickedly indifference” to slavery.

I take this law to be one of the grossest infringements of Christian Liberty, and, if the churches and ministers of our country were nor stupidly blind, or most wickedly indifferent, they, too, would so regard it...At the very moment that they are thanking God for the enjoyment of civil and religious liberty, and for the right to worship God according to the dictates of their own consciences, they are utterly silent in respect to a law which robs religion of its chief significance and makes it utterly worthless to a world lying in wickedness.

Worse yet are the various theologians who teach that slavery is sanctioned in the Bible, a “horrible blasphemy” that serves to perpetuate evil.

But the church of this country is not only indifferent to the wrongs of the slave, it actually takes sides with the oppressors. It has made itself the bulwark of American slavery, and the shield of American slave-hunters. Many of its most eloquent Divines...have shamelessly given the sanction of religion and the Bible to the whole slave system. They have taught that man may, properly, be a slave; that the relation of master and slave is ordained of God; that to send back an escaped bondman to his master is clearly the duty of all the followers of the Lord Jesus Christ; and this horrible blasphemy is palmed off upon the world for Christianity.

Imagine men of God who support slavery – and here he pauses to call out eight by name who place man's law above God's law.

The Lords of Buffalo, the Springs of New York, the Lathrops of Auburn, the Coxes and Spencers of Brooklyn, the Gannets and Sharps of Boston, the Deweys of Washington, and other great religious lights of the land have, in utter denial of the authority of Him by whom they professed to be called to the ministry, deliberately taught us, against the example of the Hebrews, and against the remonstrance of the Apostles, that we ought to obey man's law before the law of God.

Just as David Walker before him, Douglass now issues a warning.

Oh! be warned! be warned! a horrible reptile is coiled up in your nation's bosom; the venomous creature is nursing at the tender breast of your youthful republic; for the love of God, tear away, and fling from you the hideous monster, and let the weight of twenty millions crush and destroy it forever!... The existence of slavery in this country brands your republicanism as a sham, your humanity as a base pretense, and your Christianity as a lie. It destroys your moral power abroad: it corrupts your politicians at home. It saps the foundation of religion; it makes your name a hissing and a bye-word to a mocking earth.

Date: July 5, 1852

The Speech Ends On A Note Of Hopefulness

As Douglass nears closure, he asserts that the U.S. Constitution“ is a glorious liberty document,” even though “the inevitable conclusion” must be that the men who wrote it “basely stooped” in regard to slavery.

Your fathers stooped, basely stooped, to palter with us in a double sense, and keep the word of promise to the ear, but break it to the heart.

Therein lies the perfect summary of his entire message. For white America, the Fourth of July represents the fulfillment of the promise of liberty and freedom; for the black slaves it shouts of a betrayal of basic humanity, that breaks the heart.

But Douglass chooses to end with hope and not despair. He hears “the fiat of the Almighty, Let there be Light” and the coming change in the “affairs of mankind,” the vision of “jubilee.”

I have detained my audience entirely too long already... Allow me to say, in conclusion, notwithstanding the dark picture I have this day presented, of the state of the nation, I do not despair of this country. There are forces in operation which must inevitably work the downfall of slavery.

But a change has now come over the affairs of mankind... Intelligence is penetrating the darkest corners of the globe...

The fiat of the Almighty, "Let there be Light," has not yet spent its force. No abuse, no outrage whether in taste, sport or avarice, can now hide itself from the all-pervading light...In the fervent aspirations of William Lloyd Garrison, I say, and let every heart join in saying it:

*God speed the year of jubilee, The wide world o'er!
When from their galling chains set free, Th' oppress'd shall vilely bend the knee,*

*And wear the yoke of tyranny, Like brutes no more.
That year will come, and freedom's reign.To man his plundered rights again
Restore.*

God speed the day when human blood Shall cease to flow!

*In every clime be understood, The claims of human brotherhood,
And each return for evil, good,
Not blow for blow;*

*That day will come all feuds to end,
And change into a faithful friend
Each foe.*

Date: May 28, 1851

Sojourner Truth's "Ain't I A Woman" Address Pleads For The Rights Of Women



Sojourner Truth (1797-1883)

Like Frederick Douglas, "Sojourner Truth" has become a well-known public speaker by 1850 for the American Anti-Slavery Society, thanks to her association with Lloyd Garrison and his publication of her biographical *Narrative*. It begins with her birth as Isabella Baumfree in upstate New York in 1797 and recounts her being auctioned off to four different masters before escaping to freedom with one of her five children in 1826. She migrates to New York City and works as a housekeeper at a charity for the poor prior to experiencing a religious conversion in 1843, becoming a Methodist, adopting her new name, and setting off on her personal crusade to abolish slavery. As she says, "the Spirit calls me and I must go."

As her fame spreads, she is also enlisted in the feminist cause, and on May 28, 1851, she attends a Woman's Rights Convention held in Akron, Ohio, hosted by Frances Gage, an early leader in the suffragette movement. Since she can neither read nor write, her remarks are extemporaneous, as always. They are also surrounded by some after-the-fact controversy since not recorded verbatim and only available through the recollection of two attendees whose accounts of the character, if not the content of her speech, differ substantially. In one version, Truth speaks in traditional English and in low key fashion. In the other, constructed twelve years after the fact by Frances Gage, her words are cast in the colloquial voice of a southern slave and laced with passion. While parts of the latter are suspect, it becomes the favored text over time for capturing her authenticity and wisdom in dramatic fashion.

As with Douglass, audiences are immediately moved by her commanding figure and dignified manner on stage and then, in her case, by an unexpected and disarming sense of humor. Thus in Akron she opens her talk by warning white men of the "fix" they will be in once "de women" join forces to end slavery and secure their own rights.

Well, chillen, what dar's so much racket dar must be som'ting out o'kilter. I tink dat 'twixt de [negroes] of de South and de women at de Norf, all a-talking 'bout rights, de white men will be in a fix pretty soon.

From there she proceeds to put down one stereotype after another about the "fragile female," proclaiming her history of laboring like a man, eating like a man, even bearing the lash like a man – not to mention suffering the physical pains of childbirth (five times in reality) along with the emotional grief of losing one to illness and seeing another sold off.

Throughout this litany, she punctuates her comments with the soon to be famous refrain, “and ain’t I a woman?”

But what’s all this here talking ’bout? Dat man ober dar say dat woman needs to be helped into carriages, and lifted ober ditches, and to have de best place eberywhar. Nobody eber helps me into carriages, or ober mud-puddles, or gives me any best place -- “and ain’t I a woman?”

Look at me. Look at my arm, I have plowed and planted and gathered into barns, and no man could head me—and ain’t I a woman?

I could work as much and eat as much as a man (when I could get it) and bear de lash as well—and ain’t I a woman?

I have borne thirteen children, and seen ’em mos’ all sold off to slavery, and when I cried out with a mother’s grief, none but Jesus heard—and ain’t I a woman?

Apparently challenged by someone in the audience as to the intellectual capacities of women and negroes, she scoffs this off as a mean inquiry, having nothing to do with basic rights as human beings.

Den dey talks ’bout dis ting in de head. What dis dey call it, Intellect? Dat’s it, honey. What’s dat got to do with woman’s rights or [negroes’] rights? If my cup won’t hold but a pint, and yourn holds a quart, wouldn’t ye be mean not to let me have my little half-measure full?

Finally she takes on another familiar masculine assertion -- namely that Christ’s gender proves that God intended women to be subservient with fewer rights than men. She dismisses this with the rejoinder that Christ was born of the miraculous union of God and Mary, and therefore “man had nothing to do with it!”

Den dat little man in black dar, he say woman can’t have as much rights as man, ’cause Christ wa’n’n’t a woman. Whar did your Christ come from? Whar did your Christ come from? From God and a woman! Man had not’ing to do with Him.

Within these simple observations, Sojourner establishes the truth as she knows it. From her powerless roots she has achieved power, and if she, a black slave, can do it, so can the other women in her audience.

She closes with a call to action, referencing Eve, “the fust woman God ever made” who was able to “turn the world upside down.” So it’s now up to the women in the room to “git it right side up again.”

If Eve, de fust woman God ever made, was strong enough to turn de world upside down all her one lone, all dese togeder ought to be able to turn it back, and git it right side up again, and now dey is asking to, de men better let ’em.

Bleeged to ye for hearin’ on me, and now ole Sojourner ha’n’t got nothing more to say.

Regardless of any embellishments made by Frances Gage, both Sojourner Truth and her “Ain’t I A Woman” speech become pivotal to the history of the Women’s Rights movement.

Truth herself will live on for over three more decades, helping to recruit black troops for the Union army, working for the Freedman’s Relief Association, meeting Lincoln and Grant, and continuing both her speaking engagements and her religious commitments. She dies in 1883 in Battle Creek, Michigan.

Chapter 199 – *Lemon v New York* Asserts A “Once Free Forever Free” Standard



Dates:
November 13, 1852

- Sections:**
- The *Lemmon v New York* Case Frees Slaves Brought To The State Voluntarily By Their Owner
 - The South Responds To *Lemmon v New York* With Ongoing Appeals

Date: November 13, 1852

The *Lemmon v New York* Case Frees Slaves Brought To The State Voluntarily By Their Owner



A Freed Woman

In November 1852 another landmark case related to the Fugitive Slave Act begins to play out in the state of New York.

It involves Jonathan and Juliet Lemon, who are in the process of moving from their current home in Bath County, Virginia, to Texas, along with their seven children and eight slaves inherited by Juliet in 1837. Their plan is to go by steamship to New Orleans, but upon reaching Richmond, they face a three week delay in departure. Hence they board the *City of Richmond* for New York City to pick up an earlier passage there.

On November 5, 1852, they reach the city and check in to a boarding house near the docks, expecting to leave for New Orleans the next day. Instead they find themselves appearing before Superior Court Judge Elijah Paine to answer a writ of habeas corpus which says they have forfeited ownership of their slaves by voluntarily bringing them into the Free State of New York.

The writ is initiated by one Louis Napoleon, a free black associated with the local Underground Railroad, who has been tipped off to the slave’s presence by the ship’s steward. Appearing in court on their behalf are two abolitionist lawyers, John Jay, grandson of the founding father, and Erastus Culver.

When the Lemon’s learn of the charges, they are devastated, according to press coverage, which materializes quickly.

Mr. Lemmon, when informed of the possible, if not probable, loss of his slaves, cried like a child. ... Mrs. Lemmon went to where they were sitting, and in a tone and manner, highly excited, but

more indicative of a mother to her children than a mistress to her slaves, thus addressed them— 'Have I ever ill-treated you? Have you not drank from the same cup and eat from the same bowl with myself? Have I not taken the same care of your children as if they were my own? Did I not give up all I possessed in my native land, in order that you and I might go to another, where we could be more comfortable and happy? Did you ever refuse to come along with me, until you were prompted to do so?

Arguments begin on August 9, with both sides represented with skill and vigor. The plaintiff, Lemon (sometimes spelled Lemmon), contends that the Comity Clause of the 1787 Constitution and the Supreme Court's 1824 ruling in *Gibbons v Ogden* guarantees his right to transport his "property" across all state lines without threat of seizure.

The defense cites an 1817 New York State Law declaring that "no person held as a slave shall be imported, introduced, or brought into this State on any pretense whatever ... Every such person shall be free." They also claim that *Gibbons v Ogden* is confined to prohibiting monopolies in the shipping industry, not issues related to slaves.

The two sides also battle over the 1850 Fugitive Slave Act, with Jay arguing that since the Lemon's brought the eight defendants into the state voluntarily, they were never "fugitives" – and hence the statute is irrelevant.

In the end, Judge Paine comes down on the side of the defendants, declaring that the slaves are to be freed. While his opinion cites the 1817 State Law prohibiting the importation of slaves into New York, he also references a 1772 ruling in Great Britain in *Somerset v Stewart*. In this case, Lord Mansfield finds that "common law" – i.e. the "law of precedents" formed by a series of prior judicial findings – in effect prohibits chattel slavery.

The state of slavery is of such a nature that it is incapable of being introduced on any reasons, moral or political, but only by (statute), which preserves its force long after the reasons, occasions, and time itself from whence it was created, is erased from memory. It is so odious, that nothing can be suffered to support it. Whatever inconveniences, therefore, may follow from the decision, I cannot say this case is allowed or approved by the law of England; and therefore the black must be discharged.

After the verdict is in, the eight emancipated slaves are well cared for by their rescuers. A fund of \$800 is collected on their behalf, and, in December, a meeting hosted by Lewis Tappen results in their relocation to the thriving Elgin Settlement, in Buxton, Ontario. Elgin is an "experimental black community," run by William King, a white man who frees his inherited slaves after becoming a Presbyterian minister in 1846, and founds the Settlement in 1850.

On the other hand, Jonathan Lemon laments that "the result of the proceedings in court has deprived me of all my property, amounting at least to \$5,000." Along with his family and minus their slaves, Lemon abandons the move to Texas for a return to his starting place in Virginia.

Date: 1852-1861

The South Responds To *Lemmon v New York* With Ongoing Appeals



As expected, Southerners are outraged by the NY Superior Court decision and try to have it reversed on appeal. The charge is led here by the House of Delegates in Virginia, which will pursue the case right up to the start of the Civil War, when its practical relevance disappears.

Judge Paine himself is troubled by the obvious economic loss he has imposed on the Lemon family (which is not wealthy) and heads a collection campaign which fully compensates them monetarily. This outcome leads the New York Court of Appeals to again rule against Lemon, since he has been paid in full for all eight slaves. During this initial appeals phase, a new lawyer joins the Erastus Culver firm to argue for the defense. He is Chester A. Arthur, who will become America's 21st President in 1881.

Chester A. Arthur (1829-1886)

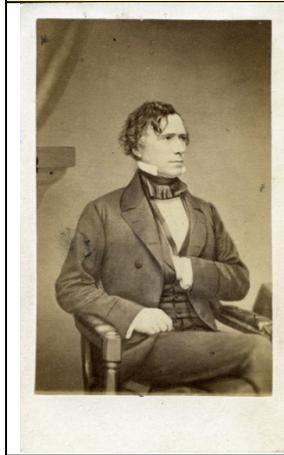
The New York Supreme Court grants *certiorari* (agreement to review the case) to the plaintiff, but this trial also goes against Lemon, with only one dissenting justice.

With every appeal, the case attracts more national publicity and more Northern support for Lemon's slaves.

But for the South, the rulings remain inconceivable. How can owners possibly be deprived of "their property" simply by having their slaves accompany them into a Free State? To reverse the decision they demand that the U.S. Supreme Court hear the case and correct the erroneous findings in New York.

They will finally get their way in 1857, not with the *Lemon* case, but with one involving a different slave, Dred Scott.

Chapter 200 – Franklin Pierce Becomes The Thirteenth President



Dates:
November 2, 1852

Sections:
• Pierce Wins In A Landslide

Date: November 2, 1852

Pierce Wins In A Landslide



Franklin Pierce (1804-1869)

As the 1852 race plays out, the Democrats readily coalesce around Pierce, while the Whigs remain divided and generally unenthusiastic about Scott.

All four of Pierce's opponents at the raucous Baltimore convention – Cass, Buchanan, Douglas and Marcy – quickly endorse him. Southerners are reassured by his firm commitment to the 1850 Compromise and to enforcing the Fugitive Slave Act, while Northerners see him as one of their own. On the campaign trail, he is blessed by a handsome appearance and a remarkable memory for faces and names and for speeches, which he routinely memorizes and delivers with what appears to be off the cuff ease and sincerity. Those in the Young America movement point to his youth (at forty eight) and vigor, vis a vis the aging (at sixty-six) Scott, symbol of “a generation passing away.”

The Whigs go after Pierce's limited experience (“an obscure individual”), and his record in the Mexican War, including unfair insinuations about his lack of battlefield courage. The Northern press also insists that he is a religious bigot, based on New Hampshire laws banning Catholics from public office, and a total pawn of the South, a doughface who will bow to their every demand. Scott also makes a futile attempt to lure Catholic voters by citing that his favorite daughter, Virginia, has entered a Georgetown nunnery (albeit being totally dismayed by the outcome).

While the Whigs vigorously attack Pierce, they are never able to accomplish real unity and fervor behind Scott. His military exploits are every bit as impressive as those of the two former Whigs Presidents Harrison and Taylor, but his reputation as “Old Fuss ‘n Feathers” seems to signal devotion to protocol rather than conjuring up personal heroism. Southern Whigs who felt betrayed by Taylor’s opposition to expanding slavery to the west, are even more suspicious of Scott, who remains silent about the 1850 Compromise throughout the race. Conversely many Northern Whigs defect in response to the platform’s ringing endorsement of the Fugitive Slave Act.

In the end, Scott suffers the kind of political rout that he never experienced in warfare.

He carries only four states – Tennessee, Kentucky, Vermont and Massachusetts – worth 42 electoral votes against 254 for Pierce. Newspapers characterize the result as “a Waterloo defeat” and, indeed, it signals the death knell for the entire Whig Party.

Results Of The 1852 Presidential Race

1852	Party	Pop Vote	Elect Tot	South	Border	North	West
Pierce	Democrat	1,607,510	254	76	20	92	66
Scott	Whig	1,386,942	42	12	12	18	0
Hale	Free Soil	155,210	0	0	0	0	0
Webster	Union	6,994					
Troup	So Rights	2,331					
		3,161,830					

The turn-around from Taylor’s victory in 1848 is particularly evident in the North, where five states swing from the Whig to the Democrat column. The entire South and West, with the exception of Tennessee, are swept by Pierce and the Democrats.

Party Power By State

States	Votes	1848	1852	Pick-Ups
Virginia	15	Democrat	Democrat	
North Carolina	10	Whig	Democrat	Democrat
South Carolina	8	Democrat	Democrat	
Georgia	10	Whig	Democrat	Democrat
Alabama	9	Democrat	Democrat	
Mississippi	7	Democrat	Democrat	
Louisiana	6	Whig	Democrat	Democrat
Tennessee	12	Whig	Whig	
Arkansas	4	Democrat	Democrat	
Texas	4	Democrat	Democrat	
Florida	3		Democrat	Democrat
South	88			
Delaware	3	Whig	Democrat	Democrat
Maryland	8	Whig	Democrat	Democrat
Kentucky	12	Whig	Whig	

Missouri	9	Democrat	Democrat	
Border	32			
New Hampshire	5	Democrat	Democrat	
Vermont	5	Whig	Whig	
Massachusetts	13	Whig	Whig	
Rhode Island	4	Whig	Democrat	Democrat
Connecticut	6	Whig	Democrat	Democrat
New York	35	Whig	Democrat	Democrat
New Jersey	7	Whig	Democrat	Democrat
Pennsylvania	27	Whig	Democrat	Democrat
Maine	8	Democrat	Democrat	
North	110			
Ohio	23	Democrat	Democrat	
Indiana	13	Democrat	Democrat	
Illinois	11	Democrat	Democrat	
Iowa	4	Democrat	Democrat	
Michigan	6	Democrat	Democrat	
Wisconsin	5	Democrat	Democrat	
California	4		Democrat	Democrat
West	66			
Total	296			

The crushing defeat also carries over to Congress. In the House, the Democrats pick up 28 seats and restore the kind of decisive margin they held back in 1844.

Election Trends In The U.S. House

Party	1844	1846	1848	1850	1852
Democrats	142	112	113	130	158
Whigs	79	116	108	86	71
American	6	1	1	0	
Free Soil			9	4	4
Constitutional Union				10	
States' Rights				3	
Upcoming Congress	29 th	30 th	31 st	32 nd	32 nd
President	Tyler	Polk	Polk	Fillmore	Fillmore

The Democrats also add three seats in the Senate, boosting their advantage from 35-24 to 38-22.

Election Trends In The U.S. Senate

Party	1844	1846	1848	1850	1852
Democrats	31	36	35	35	38
Whigs	25	21	25	24	22
Free Soil			2	3	1
Other		1			1
Vacant					
Upcoming Congress	29 th	30 th	31 st	32 nd	32 nd
President	Tyler	Polk	Polk	Fillmore	Fillmore

Once the results are in, the search begins again to create a new opposition party capable of challenging the Democrats at the national level.

During Pierce’s term the outline for such a party, known as the Republicans, will be visible in the convergence of four often wildly different political interests:

- Northern Whigs looking for a new home for their American System principles;
- Liberty Party members and others who oppose slavery on moral grounds and aim to end it;
- Certain Free Soilers who back Wilmot’s call for “whites-only” territory and land grants in the west; and
- A resurgent anti-Catholic and anti-immigrant party calling themselves the “Know Nothings.”