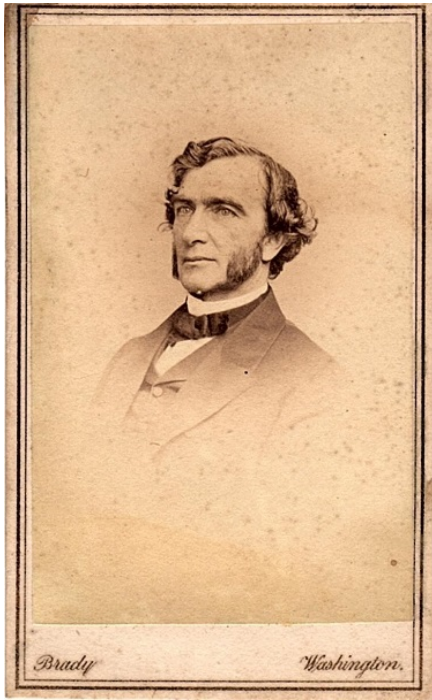


Chapter 279 - Two Last Second Bills Gain Congressional Approval

Time: February 26, 1861

The Morrill Tariff Further Angers The South



Justin Morrill (1810-1898)

As usual, legislators scramble to complete left-over bills before the 36th Congress ends its second and final session on Monday, March 4.

With many Southerners already having withdrawn, the path is open for the Northern Republicans to pass several pieces of legislation.

On February 26, they vote to create the Territory of Colorado without reference one way or the other to slavery. On March 2 they add the Dakota and Nevada Territories the same way.

On the same day, they pass the Morrill Tariff, a sop to manufacturing interests in the state of Pennsylvania which has previously been blocked by Southerners in the Senate. The bill calls for a dramatic 70% jump in duties on foreign imports, from the 21% level in effect since 1857 to a new 36% rate. It passes this time by 25-14 in the depleted Senate, with 24 Republican votes and one from Democratic Senator William Bigler of the Keystone state.

While Southerners hope the Morrill Tariff will provoke Britain and France into formally recognizing the CSA government, its embrace of slavery will ultimately block such a move.

Time: March 4, 1861

The Corwin Amendment Seeks To Assure The South

The final piece of business plays out in the Senate where John Crittenden and Stephen Douglas unite behind trying to pass the "Corwin Amendment," named after the Ohio congressman, and aimed at assuring worried Southerners that slavery will never be abolished in states where it currently exists.

After a flurry of bickering the body agrees to an unusual Sunday session, which begins with one more emotional plea from Crittenden, witnessed by Lincoln who secretly enters the gallery:

We see the danger, we acknowledge our duty; and yet, with all this before us, we are acknowledging before the world that we can do nothing.

Incredibly the debate continues until 4:00am on Monday, inauguration day, when the senators, many in a drunken state, finally decide to vote. After three substitutes are turned back, Corwin's bill finally passes with the 2/3rds majority required, and eight Republican supporters.

Final Voting On The "Corwin Amendment" In The Senate: March 4, 1861

By Senator:	Proposal	Yea & Nays
George Pugh (OH)	Substitute Crittenden bill for Corwin bill	14-25
Kinsley Bingham (MI)	The Constitution needs no more amendments	13-25
Robert Johnson (Ark)	Substitute Peace Conference bill for Corwin	3-34
John Crittenden (Ky)	The Corwin bill	24-12

To become law, the "Corwin Amendment" would be required to go to the states for ratification, a step that never occurs. But as a symbolic gesture it seems to be the single concrete accomplishment by the Congress to reduce the odds of warfare.

It is also consistent with what Lincoln has said all along: he has neither the right, nor the intention, to abolish slavery in the old South.

Sidebar: Roll Call Of Departing Southern Senators



Robert Toombs (1810-1885)

In all, twenty-five U.S. Senators will exit their seats, all Southerners except for Jesse Bright of Indiana, a so-called Copperhead Democrat opposed to possible warfare. Bright has been three times President Pro Tempore of the chamber, and is expelled on February 5, 1861, for officially acknowledging Jefferson Davis as President of the Confederacy and for accusations that he helped direct arms to the Southern cause. No other senator has been expelled since Bright, as on 2108.

Senator	State	Exit Date	How
James Chestnut	SC	Nov 10, '60	Withdrew ***
James Hammond	SC	Nov 11, '60	Withdrew *
John Breckinridge	Ky	Dec 4, '60	Expelled
Waldo Johnson	MO	Jan 10	Expelled
Truman Polk	MO	Jan 10	Expelled

Albert Brown	Miss	Jan 12, '61	Withdrew **
Jefferson Davis	Miss	Jan 21, '61	Withdrew **
David Yulee	Fla	Jan 21, '61	Withdrew **
Stephen Mallory	Fla	Jan 21, '61	Withdrew **
Alfred Iverson	Ga	Jan 28, '61	Withdrew *
Robert Toombs	Ga	Feb 4, '61	Withdrew **
Judah Benjamin	La	Feb 4, '61	Withdrew **
John Slidell	La	Feb 4, '61	Withdrew *
Jesse Bright	Ind	Feb 5, '61	Expelled
Ben Fitzpatrick (D)	Ala	Mar 3, 1861	Term expires *
Alfred Nicholson	Tenn	Mar 3, '61	Withdrew ***
John Hemphill	Tex	Mar 4	Did not appear ***
Thomas Bragg	NC	Mar 8	Withdrew ***
Thomas Clingman	NC	Mar 11	Withdrew ***
Clement Clay (D)	Ala	Mar 14, 1861	Did not appear**
Louis Wigfall	Tex	Mar 23	Withdrew ***
James Mason	Va	Mar 28	Withdrew*
Robert Hunter	Va	Mar 28	Withdrew*
William Sebastian	Ark	July 11, '61	Expelled
Charles Mitchel	Ark	July 11, '61	Expelled

* Term expires on Mar 3, 1861 ** Seat declared vacant on Mar 14, '61
*** Expelled July 11, 1861