

Chapter 151 - Talks Proceeds On A Cross-Isthmus Canal In Central America

Time: 1849 Forward

The Gold Rush Resurrects Interest In A Canal Project

While Congress is debating statehood for California, individual and corporate entrepreneurs are eager to find a fast and affordable route to reaching the riches of its gold fields.

The only existing lies in a sea voyage from the East coast around the tip of South America at Cape Horn to San Francisco which requires 25-30 days and a \$400 fare for most adventurers.

A potential short-cut lies in connecting the Atlantic and Pacific oceans by constructing a continuous waterway across either Nicaragua or Panama. In both locations the oceans are separated by land masses that extend only 50-150 miles, with rivers and lakes facilitating linkage, were canals to be constructed.

Such an undertaking is first explored in 1825 by commercial and military interests. At that time, surveyors map out a potential route for a canal in Nicaragua, but it is subsequently set aside given the costs and complexities.

Then the 1849 California gold rush resurrects corporate interest.



Potential Cross-Isthmus Canal Routes

Time: April 19, 1850

The Clayton-Bulwer Smooths The Path To A Possible Canal

Despite the “hands-off the hemisphere” warning in the 1823 Monroe Doctrine, Britain continues to lay claim to sizable territories on the east coast of both Honduras and Nicaragua, along with the west coast port of San Juan del Sur.

As talk of a possible cross-Isthmus canal heats up, negotiations are under way to make sure that conflicts over territorial interests are avoided.

Taylor’s Secretary of State, John Clayton, meets with the British diplomat Sir Henry Bulwer, and the two agree on a treaty bearing their names. It states that:

Neither country will seek territorial dominion over Nicaragua or any other country in Central America; and any canal or other path across the isthmus will be open for equal use by both nations.

The Clayton-Bulwer Treaty is ratified by a 42-11 vote in the Senate on April 19, 1850. As such it becomes the one foreign policy achievement during Zachary Taylor’s presidency.

(Note: plans for a Nicaragua Canal to rival the 1914 Panama Canal continue to the present day.)

Chapter 152 - A Filibustering Adventure To Conquer Cuba Is Foiled

Time: 1846 Forward

Secessionists Imagine A New Slave Empire To The South

The canal builders are not alone in their territorial interests to the South.

Once it becomes clear that Congress might pass a Wilmot Proviso ban on slavery in the Mexican Cession land, Southern Fire-eaters turn their gaze toward Central America and the Caribbean Islands as potential havens for future expansion.

One among them is John Quitman who envisions a vast Slave Empire extending from Mexico to Central America and across the Gulf to the West Indies.

Quitman is a New Yorker by birth who migrates in 1821 to Natchez, a Mississippi River town that is briefly the state's capitol, as well as jumping off point for the "Natchez Trace," a prehistoric pathway leading 440 miles east to Nashville. Once there, his legal practices flourishes, he joins the militia, enters state politics, and purchases *Monmouth Plantation*, in sight of one of the nation's largest slave trading hubs.

When the Mexican War breaks out, Quitman earns national fame as Brigadier General serving under both Taylor and Scott and accepting the surrender of Chapultepec Castle. He is briefly the Military Governor of Mexico City and argues in favor of annexing the entire country.

After that, Quitman returns to Mississippi, where he builds his reputation as a Southern "Fire-Eater" and wins the 1850 election for state Governor. This puts him on the national stage during the conflict over the California admission and Clay's Omnibus Bill.

He is ready from the beginning to support secession, and then create his Slave Empire.

To do so will require a series of filibustering expeditions, similar to those led by Aaron Burr in 1805 and Sam Houston in 1836. As Quitman sees it, these will be led by "America conquistadors" drawn from the ranks of Mexican War military professionals under his command.

One such adventurer is Narciso Lopez who, along with Quitman, sets his sights on Cuba.

Time: 1820 Forward

America Has Long Sought To Acquire Cuba

America's wish to acquire Cuba traces back for decades.

Thomas Jefferson signals his interest in 1820, and John Quincy Adams approaches Spain's ambassador about an acquisition off and on during his eight year tenure as Secretary of State, under Monroe.

In 1848, President Polk authorizes U.S. Ambassador Romulus Saunders to begin purchase negotiations for "up to \$100 million" – but Spain refuses to part with its lucrative sugarcane and coffee operations.

At this point, Narciso Lopez enters the picture with a proposal to Polk for taking Cuba by force.

Lopez is fifty years old at the time, with a prior record of having fought with Spain against Simon Bolivar's crusade to liberate Latin America, and then, in 1843, alongside the Cubans in their early battles to escape the Spanish yoke.

Lopez flees to America in 1848 after his "Cuban Rose Mine" conspiracy is thwarted.

Once there he continues to seek support for his invasion plan. Polk has already turned him down, and Zachary Taylor follows suit in August 1849. He then shifts his attention to Southern military men, but is also rebuffed by Jefferson Davis and Robert E. Lee before Governor Quitman encourages him to proceed.

Time: 1850 - 1851

Narciso Lopez's Filibustering Campaigns Are Foiled

In May 1850, he assembles some 600 men – mostly veterans of the Mexican War – in New Orleans, and sets sail for Cuba. His force lands on the north coast at Cardenas, some 90 miles east of Havana. He captures the town, but finds little local support there and decides to turn back upon hearing that a large force of Spanish troops is approaching.

Upon his return to America, it is Quitman who pays the price for the invasion – being arrested for violating the 1817 Neutrality Act.

He is forced to resign his Mississippi governorship in February 1851, before being acquitted in three separate criminal trials that all end with hung juries.

Sidebar: Lopez Is Eventually Garrotted To Death

Lopez is undeterred by his 1850 failure, and fifteen months later, in August 1851, he returns with a smaller force of 400 men and lands on the far western edge of the island, at Pinar del Rio.

After being unable again to rally the locals, he is captured this time by the Spanish. On September 1, 1851, he is strapped into a chair and garrotted to death at the public square in Havana.

Fifty other Americans are shot at the same time, including “Colonel” William Crittenden, nephew of the then Attorney General, John J. Crittenden.

It remains uncertain whether Lopez intended to rule Cuba in his own name or have it annexed into the United States – but, either way, the tradition of slavery would remain in place.

The failure of the filibustering expedition of 1851 does not put an end to the wish among Southerners to wrest control over Cuba from Spain. It surfaces again in 1854 in the “Ostend Manifesto” prepared by members of the Pierce administration, which calls for the use of force, if need be, to occupy the island. When made public, however, the Manifesto is roundly opposed in the North, thus ending talk of aggressive action.

Still Cuba remains a critical trading partner with America in the decades ahead. By 1894, some 90% of Cuba’s exports go the United States, with only 6% shipped to Spain. In that same year, the journalist and poet, Jose Marti, initiates a revolution to drive out the Spaniards. America enters the war in May of 1898, landing at Guantanamo Bay. Spain soon surrenders and the December Treaty of Paris finally secures Cuban independence. In 1903 Cuba agrees to lease the naval base at Guantanamo Bay to the U.S. in perpetuity for an annual payment of \$2,000. Over a century later that arrangement remains in place.

Chapter 153 - President Taylor Dies Suddenly

Time: Summer 1850

Debate Over The Omnibus Bill Resumes In Congress

Throughout the early summer of 1850 controversy continues to swirl around the various components of Clay's "Omnibus Bill" and the admission of California.

Abolitionist Thad Stevens lampoons 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 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 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, with 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,” rider less, 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 slaveholder, 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.

Time: Ongoing

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 University of Florida Professor Clara Rising who 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 154 - Millard Fillmore's Term

Time: 1800 - 1874

President Millard Fillmore: Personal Profile



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.

Time: 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

Time: 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 155 - Douglas Drives His 1850 Compromise Bills Through Congress

Time: July 1850

Texas Tries 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.

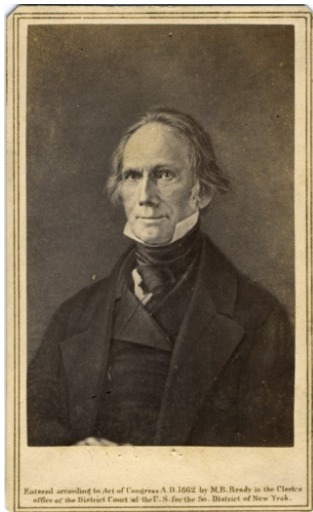
He begins by blocking the attempt by New Mexico to apply immediately for statehood, knowing that the settlers there are signaling their intention to become a "Free State."

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.

Time: 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.

Time: August 1850

Douglas Recasts The Bill To Gain Southern Support



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 eager to pander to Southern interests.

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

Time: 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

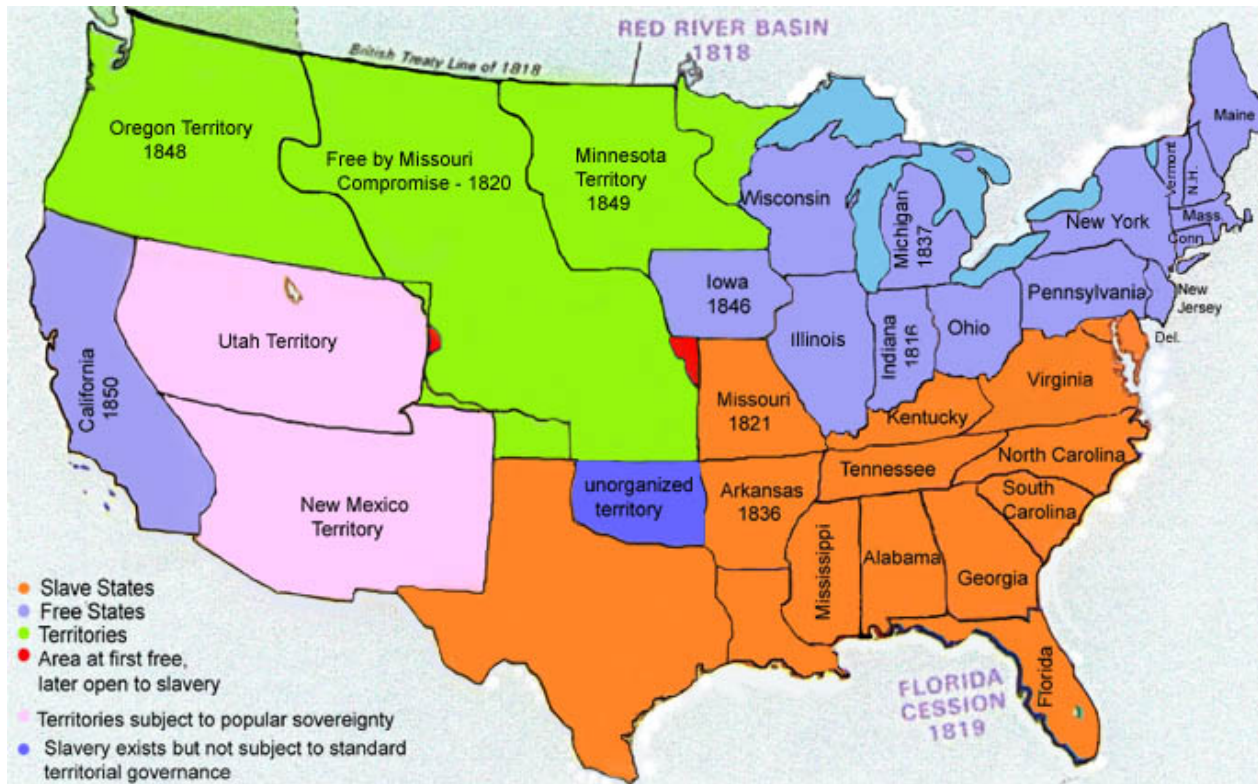
Northerners	Texas Border	California	New Mexico/Utah	DC Slave Trade	Fugitive Slave
Yea	18	21	11	21	3
Nay	8	0	10	0	12
Southerners					
Yea	12	6	16	6	25
Nay	12	18	0	19	0

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.

Time: 1850 Forward

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 of that outcome.

Northern Whigs 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 156 - Fillmore Offers A “Delayed Inaugural Address” To Congress

Time: December 2, 1850

He Begins With His General “Sentiments” About Government Policies



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.

He Calls The 1850 Compromise A “Final Settlement” On The Slavery Issue

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 157 - Two More Southern Conventions Search For A Political Strategy On Slavery

Time: Winter 1850

Concerns Remain Over The 1850 Compromise

While Fillmore tries to convince himself that the 1850 Bill resolves the sectional divide over slavery, the South remains fearful that the national tide is turning against them.

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

Two distinct camps, cutting across party lines, will argue their positions at each event.

On one hand, 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. They say that the only sane response to this prospect is to break away from the Union.

On the other, the Unionist camp, still regarding the 1787 Constitution as 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.”

Time: November 11-18, 1850

The Second Nashville Convention Takes A More Threatening Stance

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 forever 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.*

Time: December 6-10, 1850

The “Georgia Platform” Convention Reaffirms A Pro-Union Stance



The City Of Savannah, Georgia

The Georgia convention is held in Milledgeville, in December 1850. It is called by Governor George Towns with the express purpose of deciding how his state should respond to the 1850 Compromise.

The meeting is preceded by intense campaigning by two sides to select delegates.

Those opposing the 1850 Bill include Towns himself along with ex-Senator Herschel Johnson, both classical Jackson Democrats and both dismayed by the “containment” tactics of the North. Their recruitment efforts are joined by two States Rights firebrands, William Yancey of Alabama and Robert Rhett of South Carolina.

Those supporting the bill are led by the three prominent Georgians in the U.S. House – the powerful Democratic Speaker, Howell Cobb, and his two Whig allies and lifelong colleagues, Robert Toombs and Alexander Stephens.

When the voting on delegates is in, a two-thirds majority are in favor of sending Unionist delegates to the convention. This signals what still seems to be the prevalent wishes of most 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 convention itself last for five days and produces a pivotal document titled “The Georgia Platform” which plays an important role in holding the Union together at the time.

It is approved on December 10, 1850, and announces the “conditions” demanded by the state to sustain the Union. The document opens 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.”

The Platform, however, also ends with a threat stating that Georgians will be ready to secede if the federal government:

- Threatens 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; or
- 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 play a crucial role in holding the South in the Union.

It will eventually 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 158 - Northerners Rebel Against the 1850 Fugitive Slave Act

Time: Fall 1850

Details Of The 1850 Fugitive Slave Act Begin To Sink In

At first, reactions to the 1850 Compromise are 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.

That indifference lasts until they begin to experience the effects of one provision in the 1850 Bill, namely 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 law protecting run-aways living in Free States.

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

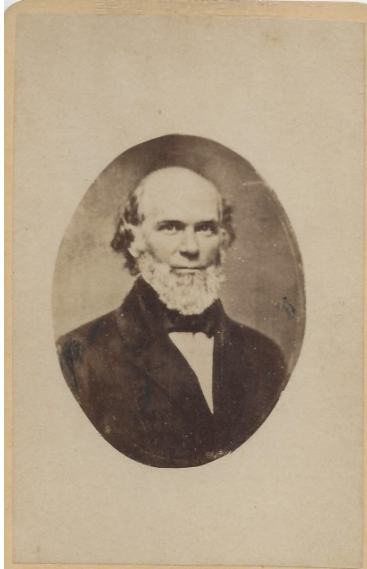
imprisonment not exceeding six months, by indictment and conviction before the District Court...and shall moreover forfeit and pay, by way of civil damages to the party injured by such illegal conduct, the sum of one thousand dollars for each fugitive so lost...

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....

Time: 1850

Northern Opposition To The Act Intensifies



Theodore 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.

Time: December 1850

Ellen And William Craft Make Their Remarkable Escape

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 159 - The History Of Run-Away Slaves And Measures To Stop Them

Time: 1850

The 1850 Act Threatens Both Slaves And Freedmen Alike



Perhaps A Field Hand

Reactions to the 1850 Act among whites in the 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 chances of being kidnapped and thrust into slavery increase sharply.

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 the 1850 Act.

Time: 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

Time: 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%

Time: 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)

Time: 1850’s

Owners Search For 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.

Time: 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 160 - An “Underground Railroad” Assists The Runaways

Time: 1826 Forward

Abolitionist Levi Coffin Initiates The Underground Railroad



Map Showing Major Underground Railroad Routes

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.

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.

Time: 1849-51 forward

“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.

Time: 1850’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 161 - Abolitionist John Brown Advances His Plan To Lead A Slave Rebellion In The South

Time: 1837 to 1850

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



John Brown (1800-1859)

The Fugitive Slave Act also reenergizes the anti-slavery zealot, 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.

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 setbacks 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 migrates during the Civil War.

Time: May 1849

Brown Connects With Abolitionist Leader Gerrit Smith

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, Gerrit 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.”

Time: January 1851

Brown’s “League Of Gileadites” Organized 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 his commitment to violent action is in the tradition of a host of black predecessors – including Toussaint Louverture’s 1791 revolution against France along with the black uprising by Gabriel Prosser in 1800, Charles Deslondes in 1811, Denmark Vesey in 1822 and Nat Turner in 1831.

Free Blacks cite justifications for violence as a last resort.

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.

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 picks up on these earlier initiatives.

It represents his first attempt to organize a band of blacks and personally lead 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 162 - Boston Remains The Hotbed Of Resistance To The Fugitive Slave Act

Time: February 15, 1851

Runaway Shadrach Minkins Is Rescued From A Courtroom In Boston



Judge George Curtis

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.

Time: 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.

Time: 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.

Time: 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 163 – *Uncle Tom's Cabin* Arouses More Sympathy For Slaves And Runaways

Time: 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 receive 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.”

Time: 1811-1896

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.

Time: 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.

Time: 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.

Time: 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 164 - Whigs Suffer Losses In Mid-Term Elections

Time: Spring 1851

Whigs Continue To Fade As A Political Force

Millard Fillmore's optimistic prediction about domestic tranquility comes up against contrary public opinions in the mid-term elections for the 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.

In the House, the margin enjoyed by the Free States of the North continued to edge upward.

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 – 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

Time: April 1851

Abolitionists Sumner And Wade Enter Congress

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.

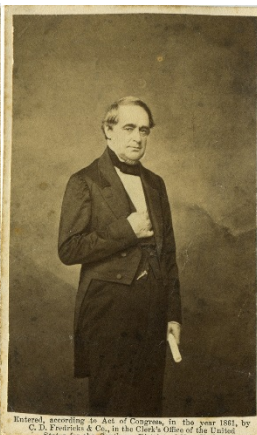
With Sumner and Wade onboard, the Senate now includes a threshold of six prominent politicians ready to assert their moral opposition to slavery.

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

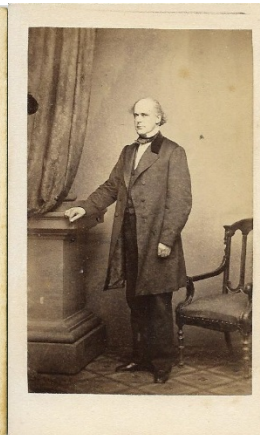
Dates	Name	State	Party
1847-53	John P. Hale	NH	Free Soil
1848-61	Hannibal Hamlin	Maine	Democrat
1849-55	Salmon Chase	Ohio	Free Soil
1849-61	Henry Seward	NY	Whig/Rep
1851-69	Ben Wade	Ohio	Whig/Rep
1851-74	Charles Sumner	Mass	Dem/Rep



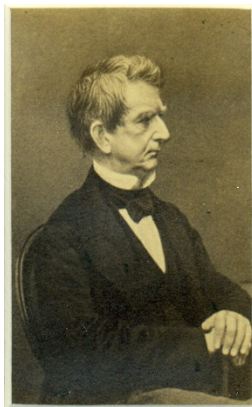
John P. Hale



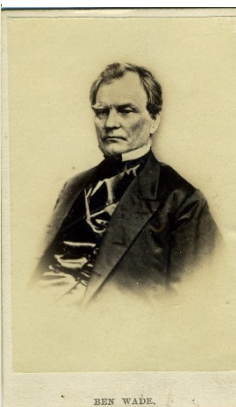
Hannibal Hamlin



Salmon Chase



Henry Seward



Ben Wade



Charles Sumner

Chapter 165 - Fillmore Embarrassed By Failed Treason Trial In Christiana Runaway Case

Time: September 11, 1851

Southerner Killed While Attempting To Capture His Run-Away Slaves

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.

Time: December 11, 1851

The Attempt To Convict The Resisters Of Treason Fails Miserably

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.



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 166 - Free Black Leaders Make Their Voices Heard

Time: May 28, 1851

Sojourner Truth's "Ain't I A Woman" Address Pleads For Justice



Sojourner Truth (1797-1883)

The renewed terror associated with the wanton pursuit of blacks up north provokes more pleas for fairness and mercy from various free black leaders. Their pleas mirror those of men like David Walker in 1829 and Henry Highland Garnet in 1843.

One of them this time is a woman who adopts the name Sojourner Truth.

Like Frederick Douglass, she 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.”

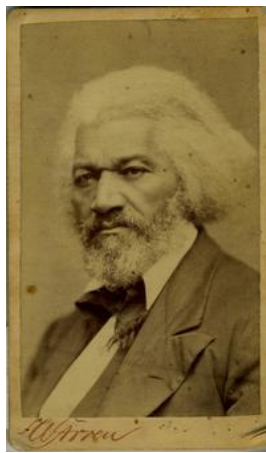
If Eve, de fust woman God ever made, was strong enough to turn de world upside down all her one lone, all dese togeder ought to be able to turn it back, and git it right side up again, and now dey is asking to, de men better let ’em.

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.

Time: 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.

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.

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.

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.

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.

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.*

Chapter 167 - Southern Intellectuals Ramp Up Their Defense Of Slavery

Time: 1852

The Pro-Slavery Argument Reprises Southern Views On Slavery

In response to the national controversy stirred in 1852 by *Uncle Tom's Cabin*, the Charleston firm of Walker, Richards & Co. publishes a 512-page book titled *The Pro-Slavery Argument* – built around four landmark works between 1832 and 1852 by Southern intellectuals:

- *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. William Gilmore Simms.

Thomas Dew In 1832

The first entry comes from 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.

William J. Harper in 1837

Harper is a prominent lawyer in Columbia, South Carolina who serves briefly in 1826 as a U.S. Senator before defending the state’s “nullification” effort in the late 1820’s. His 1837 lecture titled *Memoir on Slavery* is one of the first to announce the theme of “slavery as a positive good” which is then picked up and repeated by many other Southern rationalists. As Harper says,

The Creator did not intend that every individual human being should be highly cultivated morally and intellectually. It is better that a part should be fully and highly cultivated, and the rest utterly ignorant.¹

Slavery has done more to elevate a degraded race in the scale of humanity; to tame the savage; to civilize the barbarous; to soften the ferocious; to enlighten the ignorant, and to spread the blessings of Christianity among the heathen, than all the missionaries that philanthropy and religion have ever sent forth.¹

James Henry Hammond In 1845

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.

Dr. William Gilmore Simms In 1852

William Simms emerges from obscurity in Charleston, South Carolina, to become a prolific novelist and political commentator. He converts stories about American history told to him by his grandmother into popular works of literature beginning with the colonial era and extending through the Revolution. His success leads to his inclusion into the "sacred circle" of Southern intellectuals who deliver essays and lectures on cultural issues of the time.

The Morals of Slavery is a reprint of a pamphlet first published in 1838. In it Simms offers up his paternalistic defense of slavery as providing a naturally inferior race the opportunity to become civilized and achieve salvation. All delivered through the benevolence of their white masters.

Taken Together

These 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.*

Proponents Of The "Slavery As A 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 168 - Deeply Flawed “Scientific Studies” Used To Support Black Inferiority

Time: As Of The 1850's

The Crania Size Conclusions Of Dr. Samuel Morton

In addition to citing the Bible to support the practice of slavery, Southern defenders also turn to flawed “scientific” studies which claim to prove that blacks are a different and inferior species.

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.

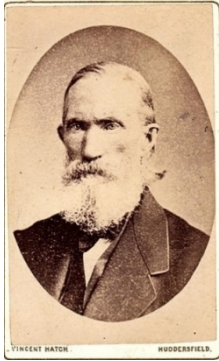
His passion is the study of the human anatomy, and he accumulates what is regarded at the time as the world's largest collection of skulls, going all the way back to the Egyptian era. After measuring his specimens, he publishes reports stating that white skulls are larger (82 cubic inches on average) 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.”

The “Phrenology” Research Of Orson Squires



A second “scientist” often cited by pro-slavery supporters is Orson Squire Fowler.

Fowler 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

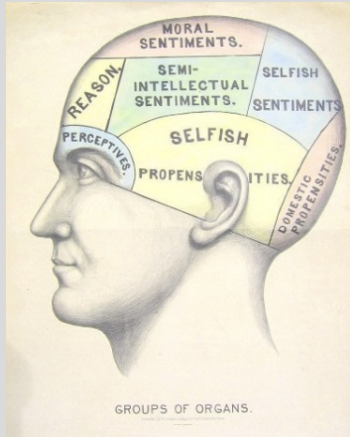
Orson Squire Fowler (1808-1887)

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.

Sidebar: Orson Fowler's Phrenology Phenomenon



A Typical Phrenology Map

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.

Chapter 169 – Presidential Candidates Chosen Amidst Deep Party Divisions

Time : Summer 1852

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



Alexander Stephens (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. When 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 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.

Time: 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 "Barnburners" 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 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 McClernand	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 Nothing
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

Time: June 1-5, 1852

The Democrats Need 49 Ballots Before Settling On Franklin Pierce

The Democrats convene on Wednesday, June 1, 1852, to select their presidential nominee. The meeting is held in Baltimore at The Maryland Institute For The Promotion Of Mechanic Arts, and runs for five days.

The arriving delegates are optimistic about their chances. They have regained solid congressional majorities in the mid-term races and are eager to exploit the rupture among the Whigs.

They believe they will succeed if the more moderate Southern Democrats, among them Jeff Davis and John Breckinridge can coalesce with Northern forces 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 who carried 14 of 29 states, and lost 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 a national, figure.

A third option is Stephen Douglas whose political career has been meteoric to date. In pushing the 1850 Bill through the Congress, he 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.

Voting Results Through Day 1 (149 Needed To Win)

Candidate	1	2	12	21	29
Lewis Cass	116	118	98	60	27
James Buchanan	93	95	88	102	98
Stephen Douglas	20	23	51	64	91
William Marcy	27	27	27	26	26
Others	40	33	32	44	54

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.”



The Presidents of the United States.
FRANK PIERCE—14TH.
Franklin Pierce (1804-1869)

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 Selects Scott 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 Fillmore embraces him as his Secretary of State. The fact that this history 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.

Time: August 11-12, 1852

The Vanishing Free Soil Party Nominates John Hale

While the Free Soil Party won 10% of the popular vote in 1848, it is in near total disarray four years later.



John P. Hale (1806-1873)

Its founding in 1844 was Salmon Chase's attempt to form a coalition of dissident elements aimed at defeating the rival Democrats. Its banner was:

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

With each element carrying weight with its various factions.

- "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.

By 1848 the coalition has largely dissolved.

Those members who defected after James Knox Polk took the 1844 nomination away from their hero, Martin Van Buren have now returned to their former home as Democrats. Included here are the New York "Barnburners" and many of the Wilmot men, who still remain intent on "protecting" the new western lands for white settlers by opposing the presence of plantations and all blacks, enslaved or free.

What's left then is a much smaller band composed of those who oppose slavery on moral grounds. Some have drifted in from the defunct Liberty Party, men like Gerrit Smith, James Birney and the Tappan brothers – and others wavering off and on between prior parties like John Hale, Joshua Giddings, Henry Wilson, Charles Francis Adams, and Owen Lovejoy.

This remnant meets eight weeks after the close of the Whig's convention at the Masonic Hall in Pittsburgh for what will be their final active political campaign.

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 kidnappers. 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 Gerrit 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.

While August 12 marks the end of the Free Soil Party as a stand-alone political entity, its core principle – opposition to the *nationalization* of slavery – will be picked up in 1856 by the new Republican Party to unite different Northern factions against a fracturing Democratic opposition.

Chapter 170 - Franklin Pierce's Term

Time: 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 insists that he is a religious bigot, based on New Hampshire laws banning Catholics from public office. They paint him as a total pawn of the South, an empty vessel who will bow to their every demand.

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's stand on slavery. Many Northern Whigs are put off by the party 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	0	0	0	0	0
Troup	So Rights	2,331	0	0	0	0	0
		3,161,830	296	88	32	110	66

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	0
Free Soil	--	--	9	4	4
Constitutional Union	--	--	--	10	0
States' Rights	--	--	--	3	0
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

Total	56	58	62	62	62
Upcoming Congress	29 th	30 th	31 st	32 nd	32 nd
President	Tyler	Polk	Polk	Fillmore	Fillmore

Time: 1804-1869

President Franklin Pierce: Personal Profile

Franklin Pierce grows up in Hillsborough, New Hampshire, the sixth of eight children in the family. His father, Benjamin, is a prominent figure in the state after volunteering for the Revolutionary War as a teenager, serving with bravery under General Washington, and later winning elections as Governor in 1827 and 1829, as a virulent anti-Federalist.

Two of Franklin's older brothers fight in the War of 1812, and kindle his life-long wish for military fame. Though not academically inclined as a youth, his father pushes him into Exeter Academy and Bowdoin College, where he graduates in 1824. His reputation at school is that of a fun-loving, heavy drinking, fellow-well- met, with a unique photographic memory for what he reads and the people he meets – all characteristics that will make him a popular politician.

He studies law under sitting US Senator Levi Woodbury, who will later serve under Andrew Jackson as Secretary of the Navy and of the Treasury before being named a Supreme Court justice. Franklin passes the bar in 1827, launches a successful practice, and begins his pivotal role in making New Hampshire into the most reliable state in the entire nation for supporting the Democrat Party.

His political career blossoms immediately. He meets Andrew Jackson and Martin Van Buren in 1832, enters the US House in 1833 and moves on to the Senate in 1837. Along the way he marries his wife, Jane Appleton, his polar opposite – a minister's daughter with Federalist leanings, considered plain, frail, intensely shy, and a teetotaler, who cajoles him into a temperance pledge, one he often breaks.

His positions in Congress mirror those of his party, opposing federal spending on infrastructure, the US Bank, soft money and any attempt to tamper with slavery. He is intensely critical of the abolitionists, favors the "gag rule" and is an early supporter of annexing Texas. These positions set him apart from his former friend and Dartmouth classmate, John Hale, and the two become arch rivals at home.

Pierce resigns his Senate seat in 1842 after the Whigs come to power and retreats to New Hampshire, focusing on his family and his law practice. This hiatus is interrupted by the April 1846 declaration of war with Mexico and his chance to follow in the military footsteps of his

father and brothers. What follows, however, is one frustration after another. He is chosen to command the 9th Infantry Regiment but it is very slow to form, and does not land at Vera Cruz until June 27, 1847, over one year into the conflict. Once there, Pierce leads his 2500 men and supply train inland on a 21 day, 100 mile trek to link up with General Scott. Along the way he fights off six hostile attacks, his finest showing in combat. On August 19 his horse falls on him, leaving him unconscious and with a severely damaged knee that keeps him out of the battle of Contreras. He also misses the final offensive on Mexico City owing to a bout of acute diarrhea.

Instead of the glory sought since childhood, his political opponents will twist his record into one of cowardice, a claim disputed many years later by U.S. Grant:

Whatever General Pierce's qualifications may have been for the Presidency, he was a gentleman and a man of courage. I was not a supporter of him politically, but I knew him more intimately than I did any other of the volunteer generals.

While in Mexico, Pierce befriends many of his eventual Southern supporters, including Jefferson Davis, John Quitman, PGT Beauregard and Gideon Pillow

In December 1847 he resigns from the army and returns home in time for the sectional furor emanating from the Wilmot Proviso's proposed ban on slavery in all Mexican lands acquired from the war. His positions follow the Democrat Party line, favoring the 1850 Compromise and the updated Fugitive Slave Law, both tilted in favor of the South.

As the nominating convention of 1852 approaches, Pierce has been out of public office for more than a decade. But his political power base in New Hampshire remains strong and eager to offer him up as a favorite son candidate. Instead he publicly backs his old legal mentor, Levi Woodbury, and insists that his name not be put forward unless the race appears hopelessly stalemated. That is exactly what happens. James Buchanan, Lewis Cass and William Marcy are deadlocked for over 40 ballots until Pierce's name suddenly appears and he win on the 49th roll call.

On January 6, 1853 – nine weeks after the “Whig Waterloo,” his easy 51-44% election victory over his old commander, Scott – Pierce and his wife are on a train out of Boston which derails, killing their only remaining child, 11 year old Benny. Both parents suffer severe bouts of depression, with Jane viewing the tragedy as “God's punishment” for her husband's pursuit of high office. In turn she decides remain at home in New Hampshire for the first two years of his presidency.

Time: 1851

Pierce Selects A Strong Cabinet



Caleb Cushing (1800-1879)

As Pierce considers his cabinet options he is acutely aware of the fact that he was nobody's first choice of those at the Baltimore convention. He also recognizes that while the Whigs may have collapsed for good with Scott's defeat, the potential for rifts within his own Democrats need to be addressed.

In the North, some residual animus remains in New York between the so-called "Hunkers" and the "Barnburners," although the two Van Burens and John Dix have abandoned their temporary flight to the Free Soil Party.

But the overriding fault line lies between Democrats in the North vs. the South, even after the 1850 Compromise Bill. Northerners are upset over the presence of slave catchers in their towns. Southerners feel that their constitutional rights to "property in slaves" has still not been affirmed by Congress, and that "popular sovereignty" is then affirmed by Congress, and that hardly the guarantee they desire.

The overriding fear then among Southerners is that slavery will be banned in the new Mexican Cession lands. John Calhoun and the Fire-Eaters have been warning of this all along, and now the prospect is sinking in more broadly, especially across the lower South. Pierce's challenge will be to try to hold the moderate Democrats together and prevent an open revolt among the Southern outliers.

Differing Factions Within The Democratic Party In 1852

Southern Outliers	Positions	People
Fire-Eaters	Oppose 1850 Compromise & threaten secession	Rhett, Hammond, Yancey
Unionists	Reservations about 1850, but not favoring secession	Cobb, Hunter
Moderates Across Sections	Pro-Compromise and party solidarity	Pierce, Buchanan, Cass, Douglas, Marcy, Davis, Benton, Houston, Johnson, Breckinridge, Guthrie, Dickinson, the Van Burens

Within this context, Pierce sees his first task as trying to choose a cabinet acceptable to all sides.

For Secretary of State he settles on William Marcy, the sixty-six year old New Yorker who served as Senator and Governor of his state, joined Polk's cabinet as Secretary of War and then sought the presidential nomination in Baltimore, backing the 1850 Bill and party unification.

Next comes Jefferson Davis who has opposed the Compromise, but whose military career makes him an obvious choice for the War Department. He will also link Pierce into various States' Rights factions, tempered by his firm commitment to the Union.

His pick for Attorney General is his Mexican War acquaintance, Caleb Cushing, a renowned Northern Doughface, whose history includes family wealth, Harvard, many years as a Whig before being drummed out for supporting John Tyler. He has also been a Minister to China, and a foursquare supporter of the 1850 Bill.

Treasury goes to the Kentucky businessman, "hard money" banker, college president and developer of the city of Louisville, James Guthrie. He is sixty years old and frequently touted as a White House contender. After his four years in the job, many will call him the best Treasury leader since Hamilton.

After promoting Marcy for State and landing the job he wants as Ambassador to the UK, James Buchanan weighs in again with Pierce on behalf of naming a Roman Catholic, Pennsylvania Judge James Campbell as Postmaster General. This is a controversial pick aimed at locking in future votes from the growing European immigrant groups.

James Dobbins, the North Carolinian House member whose last minute praise in Baltimore led to Pierce's victory, earns his reward as Secretary of the Navy – while long-term friend of Lewis Cass and twice Governor of Michigan, Robert McClelland, gets the Interior posting.

Franklin Pierce's Cabinet

Position	Name	Home State
Secretary of State	William Marcy	New York
Secretary of Treasury	James Guthrie	Kentucky
Secretary of War	Jefferson Davis	Mississippi
Attorney General	Caleb Cushing	Massachusetts
Secretary of Navy	James Dobbin	North Carolina
Postmaster General	James Campbell	Pennsylvania
Secretary of Interior	Robert McClelland	Michigan

In the end, Pierce's patchwork quilt cabinet will serve him well. All seven men complete their entire terms with effort and integrity; they come to respect their President; and two who hardly know him in 1852, Marcy and Davis, become his lifelong friends.

Time: March 4, 1853

Inaugural Address



Looking Up Pennsylvania Avenue From The White House To The Capitol

Pierce's Inaugural ceremonies play out on a chilly overcast day in Washington marked by intermittent snow. After an open carriage ride up Pennsylvania Avenue to the capitol, he steps onto the east portico to deliver his remarks. The speech runs to some 3300 words, and, true to form, he delivers it all from memory.

Only two months have passed since the tragic loss of his only remaining child, and his opening lines are both touching and revealing under the circumstances:

My Countrymen: It a relief to feel that no heart but my own can know the personal regret and bitter sorrow over which I have been borne to a position so suitable for others rather than desirable for myself... You have summoned me in my weakness; you must sustain me by your strength.

Like many a predecessor, he begins by reflecting on the wisdom and accomplishments of the founders.

The thoughts of the men of that day were as practical as their sentiments were patriotic. They wasted no portion of their energies upon idle and delusive speculations, but with a firm and fearless step advanced beyond the governmental landmarks which had hitherto circumscribed the limits of human freedom... The oppressed throughout the world from that day to the present have turned their eyes hitherward, not to find those lights extinguished or to fear lest they should wane, but to be constantly cheered by their steady and increasing radiance.

His ties to the “Young America” movement and his belief in Manifest Destiny are captured in a full-throated endorsement of further geographical expansion.

The stars upon your banner have become nearly threefold their original number; your densely populated possessions skirt the shores of the two great oceans... The policy of my Administration will not be controlled by any timid forebodings of evil from expansion. Indeed, it is not to be disguised that our attitude as a nation and our position on the globe render the acquisition of certain possessions not within our jurisdiction eminently important for our protection, (and) for the preservation of the rights of commerce and the peace of the world.

At the same time, he decries aggression and pledges to “cultivate kindly and fraternal relations with the rest of mankind” in his foreign policies -- while also reaffirming a commitment to the Monroe Doctrine.

The rights, security, and repose of this Confederacy reject the idea of interference or colonization on this side of the ocean by any foreign power beyond present jurisdiction as utterly inadmissible.

He references his time in the military, concluding that while a large standing army is unnecessary; his goal will be to strengthen the nation’s military science and officer corps.

The opportunities of observation furnished by my brief experience as a soldier confirmed in my own mind the opinion, entertained and acted upon by others from the formation of the Government, that the maintenance of large standing armies in our country would be not only dangerous, but unnecessary.... They also illustrated the importance--I might well say the absolute necessity--of the military science and practical skill furnished...by the institution which has made your Army what it is under the discipline and instruction of officers..distinguished for their solid attainments, gallantry, and devotion to the public service...unobtrusive bearing and high moral tone.

The administration of domestic affairs will be carried out with integrity and economy.

In the administration of domestic affairs you expect a devoted integrity in the public service and an observance of rigid economy in all departments, so marked as never justly to be questioned.

As he begins to wind down his remarks he turns to the threats he sees to the Union. As a pure Jeffersonian Democrat, one of these lies in concentrating too much power in the central government. This, he says, is inconsistent with the intent of the Constitution, and he promises to curb federal intrusion and respect the rights of the states – all music to the ears of his southern supporters.

But these are not the only points to which you look for vigilant watchfulness. The dangers of a concentration of all power in the general government of a confederacy so vast as ours are too obvious to be disregarded. You have a right, therefore, to expect your agents

in every department to regard strictly the limits imposed upon them by the Constitution of the United States. The great scheme of our constitutional liberty rests upon a proper distribution of power between the State and Federal authorities, and experience has shown that the harmony and happiness of our people must depend upon a just discrimination between the separate rights and responsibilities of the States and your common rights and obligations under the General Government...If the Federal Government will confine itself to the exercise of powers clearly granted by the Constitution, it can hardly happen that its action upon any question should endanger the institutions of the States or interfere with their right to manage matters strictly domestic according to the will of their own people

Finally Pierce faces squarely into the issue of “involuntary servitude,” while insisting that his views have been clear all along.

My own position upon this subject was clear and unequivocal, upon the record of my words and my acts, and it is only recurred to at this time because silence might perhaps be misconstrued...

He calls upon all sides to debate the issue in a “calmly,” avoiding “sectionalism and uncharitableness,” and on behalf of the “perpetuation of the Union.”

The field of calm and free discussion in our country is open, and will always be so, but never has been and never can be traversed for good in a spirit of sectionalism and uncharitableness...In expressing briefly my views upon an important subject rich has recently agitated the nation to almost a fearful degree, I am moved by no other impulse than a most earnest desire for the perpetuation of that Union which has made us what we are...

Having said that he asserts that the Constitution recognizes “involuntary servitude;” that the “rights of the South” in this regard demand respect; that the “compromise measures” of 1850” must be “unhesitatingly carried out;” and that, in so doing, all “fanatical excitement” over the issue should be laid “at rest.”

I believe that involuntary servitude, as it exists in different States of this Confederacy, is recognized by the Constitution. I believe that it stands like any other admitted right, and that the States where it exists are entitled to efficient remedies to enforce the constitutional provisions. I hold that the laws of 1850, commonly called the "compromise measures," are strictly constitutional and to be unhesitatingly carried into effect.

I believe that the constituted authorities of this Republic are bound to regard the rights of the South in this respect as they would view any other legal and constitutional right, and that the laws to enforce them should be respected and obeyed, not with a reluctance encouraged by abstract opinions as to their propriety in a different state of society, but cheerfully and according to the decisions of the tribunal to which their exposition belongs.

Such have been, and are, my convictions, and upon them I shall act. I fervently hope that the question is at rest, and that no sectional or ambitious or fanatical excitement may again threaten the durability of our institutions or obscure...our prosperity

Pierce closes traditionally, calling upon “God and His overruling providence” to keep the nation secure.

Standing, as I do, almost within view of the green slopes of Monticello, and, as it were, within reach of the tomb of Washington, with all the cherished memories of the past gathering around me like so many eloquent voices of exhortation from heaven, I can express no better hope for my country than that the kind Providence which smiled upon our fathers may enable their children to preserve the blessings they have inherited.

Time: March 4, 1853 – March 4, 1857

Overview Of Franklin Pierce’s Term

From the moment he sets foot in the White House, Franklin Pierce is focused on holding his beloved Democratic Party together as the necessary path to preserving the Union.

For years the Whig Party has been the political foil against which the Democrats could rally. Early battles centered on Tariff rates; then came controversies over a National Bank and spending behind federal infrastructure projects; more recently the disputes over expansion, the Texas Annexation and the Mexican War. At every turn, Democrats who might have internal differences with each other were always able to see a much greater evil in the form of Henry Clay and his American System platforms.

By 1852, however, these differences have become less intense. Public attention has turned to newer issues, how best to paste together the new western Territories with the old eastern States; the sudden influx of immigrants, especially Catholics from Ireland and Germany, and their impact on the status quo privileges of the dominant Anglo-Saxon Protestant culture; and, of course, finality around the future course of slavery and of white-black social relations.

As a proponent of the Young America Movement, Pierce tends to rely on Stephen A. Douglas to take the lead in Congress on these emerging issues.

On economic policy, Douglas is almost Whig-like in his support of infrastructure projects aimed at upgrading railroads, roads, waterways and communication systems throughout the west. While Pierce is forever uncomfortable with the constitutionality of spending federal dollars this way, he tends to go along on projects that support commerce and bonding between the west and the east.

One such project will involve Congressional debate over the routing of a transcontinental railroad which will eventually extend over 1,912 miles and open in 1869. Four different routes

will be proposed, with cities and property owners along the chosen path certain to enjoy financial windfalls.

To gain Southern support for a “central route” through Chicago that he favors (and is personally invested in), Douglas introduces his Kansas-Nebraska Act in January 1854. This Bill is generally regarded as the spark that leads inevitably to the Civil War. It does so by reneging on the 36°30’ boundary line in the Missouri Compromise which divided Free States from Slave States within the Louisiana Purchase territories. Once passed, it becomes a rallying point for politicians and citizens alike who oppose the presence of slaves – and even free blacks – in the west.

Among these opponents are the remnants of several parties in search of a new *raison d’être*, including: the dispirited Whigs, the abolitionist and white supremacist wings of the Free Soil movement, and a new anti-immigrant group soon to be labeled the Know Nothings. By the conclusion of Pierce’s term this mixed bag will begin to coalesce under the banner of Republicans.

To further console and solidify his Southern Democrats, Pierce embraces more territorial expansion, first in the Gadsden Purchase of land along the Mexican border required for a railway route across the 32nd parallel, and later in official pursuit of acquiring Cuba and in his lax response to filibustering actions by William Walker in Nicaragua.

But midway through his term comes the crisis that will convert the angry rhetoric over slavery into the violence that will eventually topple the Union.

It is focused in the new Kansas Territory and involves a battle between forces anchored in Missouri who intend to make it a Slave State and new settlers from the North equally intent on a Free State outcome.

When the Democrat’s theoretical solution – “let the voters decide” – breaks down in the face of fraudulent elections, the two sides engage in a series of vicious confrontations lasting over the next five years and forever marking the territory as “Bloody Kansas.”

The violence in Lawrence and along the Pottawatomie Creek in Kansas is soon replayed in the U.S. Senate when the outspoken abolitionist, Senator William Sumner of Massachusetts is nearly caned to death on the floor by the South Carolina man, Preston Brooks.

Franklin Pierce will run through three Territorial Governors in his attempt to solve the Kansas crisis, before handing the conflict over to his successor, Buchanan, who will only make matters worse.

The national economy continues to thrive during Pierce’s term as industry rushes west toward the gold fields of California and railroad construction booms. By 1856, however, concerns over speculation in both new land and new trains sharply dampens the growth.

Key Economic Overview

	1852	1853	1854	1855	1856
Total GDP (\$000)	\$3,066	3,311	3,713	3,975	4,047
% Change	+12%	+8	+12	+7	+2
Per Capita GDP	\$123	128	138	143	142

Pierce lives for over eleven years after leaving office. He tours Europe and vacations in the Bahamas, but always returns to his home in Concord, NH. In the 1860 race he backs Cushing and then Breckinridge as his Democratic Party divides. During the war his loyalty is questioned off and on, especially given his closeness to Jefferson Davis. His health deteriorates after the loss of his wife in 1863 and his friend, Nathaniel Hawthorne, in 1864. Always a heavy drinker, he finally dies of cirrhosis of the liver in 1869.

Key Events: Pierce's Term

1852	
November 2	Pierce wins presidency in a landslide
December	The American (Nativist) Party gathers supporters
1853	
March 2	Washington territory created out of northern Oregon territory
March 3	Congress appropriates \$150,000 to survey routes for a transcontinental railroad
March 4	Franklin Pierce inaugurated
April 18	Vice-President William King dies and not replaced; David Atchison now next in line.
May 19	James Gadsden to negotiate with Mexico over land in southern NM & Arizona
May 31	Second Arctic exploratory expedition sets out under command of Dr. Elisha King
June	Expeditions begin to explore four routes for the transcontinental railroad
July 8	Commodore Perry arrives at Yedo Bay, Japan, and delivers Fillmore letter to the Emperor
December 30 Or 6/29 app	Gadsden Treaty adds 29,640 square miles in Southwest for \$10 million to Mexico
Year	1.2 million copies of <i>Uncle Tom's Cabin</i> sold during the year
1854	
January 4	Hoping to route the transcontinental railroad through Chicago, Douglas proposes dividing Nebraska Territory in two (Kansas & Nebraska), assuming one will be Free and one Slave, even though both lie north of the 36'30" Missouri Compromise Free-only line
January 16	Kentucky Senator Archibald Dixon proposes to formally repeal the Missouri Compromise

January 17	Senator Charles Sumner proposes an amendment to reaffirm the Compromise
January 18	Filibusterer William Walker declares himself President of Sonora (Mexican California)
January 24	Several Democratic senators led by Chase and Sumner attack Douglas's Kansas-Nebraska bill as a plot by Southern slave-owners to violate the 36'30" line
March 20	Meeting of anti-slavery men held at Ripon, WI to form a Republican Party
March 31	Commodore Perry returns to Japan and induces Japan to sign Treaty of Kanagawa which opens ports to US trading ships
April 26	The Emigrant Aid Society formed in Worcester, Mass. to encourage anti-slavery men to settle in Kansas as a Free State
May 8	Filibusterer William Walker returns to U.S. after failed incursion into Mexico
May 26	The Senate passes the Kansas-Nebraska Act with a clear majority & Pierce signs it into law.
	Wendell Phillips and mob storm Boston court house in failed attempt to free another runaway slave, William Burns.
May 31	Pierce warns against filibustering in Cuba.
June 5	US and Britain sign treaty on fishing rights off New Brunswick
July 6-13	Anti-slavery Democrats, Whigs and Free Soilers meet in Michigan to demand repeal of both the Kansas-Nebraska Act and the Fugitive Slave Act. Leaders include Sumner, Chase, Julian, Bates and Browning.
July 19	Wisconsin Supreme Court declares Fugitive Slave Act unconstitutional and frees Mr. Booth who had been arrested for helping a runaway slave
July	Federal land grant opened in Kansas to support settlers
October 7	Pierce appoints Andrew Reeder as first Territorial Governor of Kansas
October 16	Abraham Lincoln delivers speech in Peoria condemning the Kansas-Nebraska Act. He affirms the rights of Southern slave-owners while also supporting gradual emancipation.
October 18	US Minister to Spain Pierre Soule negotiates the "Ostend (Belgium) Manifesto" with European ministers supporting the annexation of Cuba by force if necessary.
November 29	Missouri ruffians cross Kansas border to support a pro-slavery representative to DC
November	The Know Nothing Party holds a convention in Cincinnati
December	Voting for 35 th Congress is under way
Year	Henry David Thoreau publishes <i>Walden</i>
1855	
January 16	Territorial legislature meets for the first time in Nebraska
February 24	Final report published on transcontinental railroad route surveys
March 3	Secretary of State Marcy rejects the "Ostend Manifesto" after negative public reactions.
March 4	35 th Congress convenes

March 30	Missouri ruffians again invade Kansas to elect a pro-slavery territorial legislature, which Governor Reeder accepts as legitimate
June 5	Southerners dominate Know-Nothing Party convention in Philadelphia
July 2	Kansas pro-slavery dominated legislature meets in Pawnee and expels anti-slavery men
July 31	Pierce removes Kansas Governor Reeder for opposing the pro-slavery legislature
August 4	Free State supporters meet at Lawrence, Kansas and call for their own legislature
September 3	Filibusterer William Walker assumes actual control over Nicaragua during a civil war, with the backing of the Accessory Transit Company which seeks a canal across the land.
October 1	Pro-slavery forces in Kansas elect J. W. Whitfield as delegate to DC congress
October 9	Anti-slavery men in Kansas elect ex-Governor Reeder as their delegate to DC
October 13	Filibusterer William Walker takes control over the nation of Nicaragua
November 12	Free State Kansans hold convention in Topeka and adopt a constitution that outlaws slaves and then also all blacks from residing in the state
November 26	War breaks out along the Wakarusa River between 1500 Border Ruffians and anti-slavery forces who also fortify the town of Lawrence
December 8	Pierce issues a proclamation critical of Walker's actions in Nicaragua
December 15	Free State Kansans approve the Topeka Constitution banning slaves and all blacks
Year	Roughly 400,000 immigrants arrive in New York during the year
	Frederick Douglass publishes his autobiography
	Feminist Lucy Stone marries Henry Blackwell with both promising gender equality
1856	
January 15	Free State Kansans elect their own Governor, Charles Robinson, which is called an act of rebellion by Pierce
January 24	Georgia Senator Robert Toombs delivers pro-slavery speech at Tremont Temple in Boston
February 2	Divisions in the House over the Kansas-Nebraska Act provoke a two-month stalemate in selection of a Speaker, with Know-Nothing Nathaniel Banks finally selected.
February 22	The Know Nothing (American) Party holds a convention in Philadelphia and select Millard Fillmore as their presidential candidate, while also attacking the "Black Republicans" in their platform.
March 4	Free State Kansans in Topeka apply for statehood with Republican support, but Douglas blocks the measure demanding that a new constitutional convention be held first.
April 21	The first railroad bridge across the Mississippi is completed between Illinois and Iowa
May 21	Pro-slavery Kansans attack the Free State stronghold at Lawrence and

May 22	Three days after a speech critical of Andrew Butler of South Carolina, Senator Charles Sumner is caned at his desk and critically wounded by Butler's nephew, Preston Brooks
May 24	Abolitionist John Brown leads attack killing five pro-slavery settlers at Pottawattamie Creek
June 2-6	The Democrats meet in Cincinnati and choose James Buchanan as their presidential nominee and John C. Breckinridge as VP on a platform that supports the 1850 Compromise and the Kansas-Nebraska Act.
June 15	A break-away group of anti-slavery Know Nothings holds a convention in New York, choosing John C. Fremont for President behind a "Free Territory and Free Kansas" banner and a platform attacking immigrants and Roman Catholics and calling for "Americans only to govern America."
June 17-19	The first Republican Party convention meets in Philadelphia and also nominates Fremont for President; its platform calls for a Free Kansas and approval of a transcontinental railroad.
July 3	The House votes to admit Kansas as a Free State, but the Senate rejects as the session ends
July 4	Federal troops from Ft. Leavenworth arrive at Topeka & dispel the Free State legislature
September 9	Pierce appoints John W. Geary as the new Governor of the Kansas Territory
September 15	Geary sends Federal Troops to halt an impending attack by some 2500 Border Ruffians
September 17	Remaining Whigs meet in Baltimore and back the Know Nothing ticket of Fremont and Andrew Donelson, the adopted son of Andrew Jackson
November 4 1857	James Buchanan elected 15 th President
January 15	Abolitionist Garrison speaks at the Massachusetts Disunion Convention apparently showing support for their slogan "no union with slaveholders."
Jan - Feb	Pro-slavery Kansans meet in LeCompton to call for a census and the election of delegates to a constitutional convention. Governor Geary vetoes the proposal.
March 3	Tariff Act of 1857 lowers rates to 20%.
March 4	Kansas Governor Geary resigns after criticism from Pierce for resisting LeCompton
	James Buchanan is inaugurated

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."

Chapter 171 - *Lemon v New York* Asserts A “Once Free Forever Free” Standard

Time: November 13, 1852

The *Lemmon v New York* Case Frees Slaves Brought To The State Voluntarily By Their Owner



A Freed Woman

Just after Pierce is elected 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.

Time: 1852-1861

The South Responds To *Lemmon v New York* With Ongoing Appeals



Chester A. Arthur (1829-1886)

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.

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.

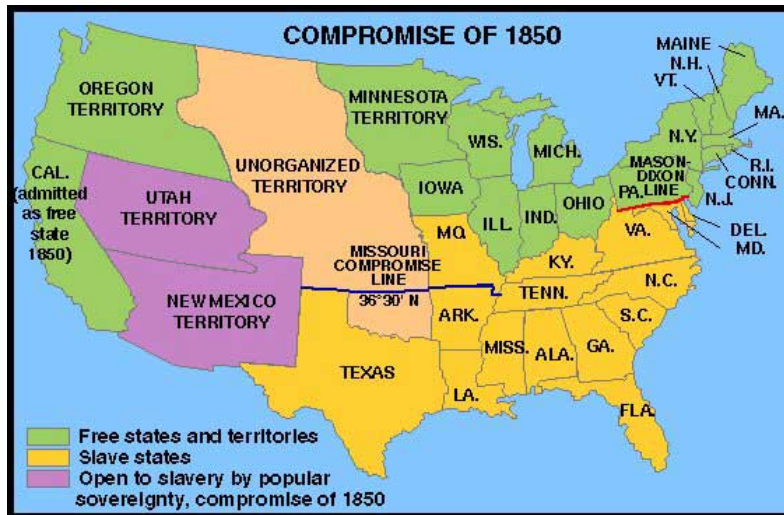
But for the South, the rulings remain inconceivable. How can owners possibly be deprived of "their property" simply by having their slaves accompany them into a Free State? To reverse the decision they demand that the U.S. Supreme Court hear the case and correct the erroneous findings in New York.

They will finally get their way in 1857, not with the *Lemon* case, but with one involving a different slave, Dred Scott.

Chapter 172 - Douglas' Plan To Organize The Nebraska Territory Fails Again In The Senate

Time: February 10, 1853

The U.S. House Passes Douglas's Nebraska Territorial Bill



Map Showing The "Unorganized Territory" (Beige) In 1850

As the 32nd Congress reconvenes for its final session in December 1852, Stephen A. Douglas prepares to again push his plans to transform the Mississippi Valley and the west, creating new wealth in the region to rival the Northeast corridor.

At forty years old, the Illinois Senator has already established himself as the combative leader of the Democratic Party in Congress, even though his run at the nomination in 1852 offends some within the party – namely, the “Old Fogies” contingent, led by James Buchanan, twenty-two years his senior and determined to be next in line after Pierce.

Through his combination of brains and willpower Douglas is the driving force behind the “Young America” movement which intends to discard the Party’s strict commitments to an agrarian economy, and its opposition to federally funded infrastructure initiatives, such as a transcontinental railroad.

To do so, however, he must first gain agreement in Congress on governance for the “Unorganized Territory” – the land to the west of Iowa and Missouri, through which the line would eventually run.

In 1852 this land is dominated by a range of Plains Tribes, mainly the Lakota’s in the far west, the Pawnee in the center, and the Omaha, Oto and Kansas to the east. The name assigned the area in Washington is the Nebraska Territory from the Oto Tribe word for the Platte River meaning “flat water.”



Tribal Claims In The Nebraska Territory

Time is short for Douglas, since the final session of the 32nd Congress runs only from December 6, 1852 to March 4, 1853. Given this, his focus is on passing two bills high on his agenda – the organization of the Nebraska Territory and funding to explore routes for the transcontinental railroad.

On January 19, 1853, however, a family tragedy slows his momentum. His 28 year old wife dies after giving birth to his third child, a daughter, who is also lost within a month.

While stricken by the loss, the senator still proceeds with his congressional duties. He works on the Nebraska Bill in the House with Illinois Congressman William A. Richardson, who later becomes Governor of the Territory.

When the bill reaches the House floor, it stirs relatively little controversy. Some concerns are raised about the fate of the Indian tribes on the land, but the more controversial issue of slavery is only referenced in passing. The reason being that since the bulk of the territory falls above the 36°30' Missouri Compromise line, it will become a “Free State” by default.

Despite some conjecture about splitting the territory into two states -- the second to be called Kansas -- the House bill simply treats Nebraska as one entity. On February 10, 1853 a vote is taken and the bill passes by a 107-49 margin, with the nays coming from Southerners who protest the assumed restriction on slavery.

All that now remains for Douglas is passage in the Senate.

Time: March 4, 1853

The Nebraska Bill Is Tabled In The Senate By The South

Various versions of the Nebraska Bill have been before the Senate for at least eight years, and all have foundered to some extent over its likely impact on the route chosen for the transcontinental railroad.

Douglas now runs into this same resistance once again.

The measure comes up amidst a flood of other proposals right before the session ends. On March 2, approval is given to creating the Washington Territory out of what was northern Oregon. On March 3, 1853, one day before Pierce's inauguration, Douglas's second priority, the appropriations bill for \$150,000 to explore five rail routes to the Pacific, is approved.

With time running out, Douglas finally succeeds in again bringing his Nebraska Bill to the floor on March 4. His anger over the delay is apparent in his opening remarks:

For two years past the Senate has refused to hear a territorial bill. For the past two weeks I have sat here hour after hour endeavoring at every suitable opportunity to obtain the floor.

But neither these chastisements, nor his impassioned rhetoric on behalf of the measure, are sufficient to achieve the victory he wants. In fact, his remarks are delivered to a near empty chamber, eager to adjourn. They end with another disheartening defeat, as the senate refuses to "take up debate" on the bill by a margin of 23-17.

Senate Vote To Debate Douglas's Bill

Section	Ayes	Nays
Southerners	2	15
Northerners	15	8
Total	17	23

Of the 17 votes cast by Southerners, the only two "ayes" belong to the senators from Missouri who, like Douglas, favor a central route for the pacific railroad.

The implications from this are clear to the senator. If the Nebraska Territory is to be settled, Douglas must find a way to sweeten the pot for the South.

For the moment, however, he is frustrated by his last second defeat and still distraught over the loss of his wife. In response, he sets sail on May 14, 1853, for what will be a five month excursion through Europe and over to Russia. He is greeted warmly from London to France, Rome (where he converts to Catholicism), Constantinople and St. Petersburg.

Douglas will return to America on October 20, 1853, refreshed and ready to resume his agenda on Nebraska.

Chapter 173 - The March Is On To Build A Trans-Continental Railroad

Time: As Of 1853

No Fast Transport To The West Coast Exists

Passage of the March 3, 1853 appropriation to explore routes for a transcontinental railroad recognizes the economic necessity of finding a better way to transport goods and services between the east and west coasts.

The existing options are two-fold -- one by sea around Cape Horn, the other cross country by wagon train or stage coach. Both are seriously flawed.

The nautical route is well known and dominated by 200 foot long clipper ships, with their three squared-rigged masts reaching 115 feet into the sky. But their sleek lines cannot overcome two serious drawbacks -- the first being the 200 days required to complete the 16,000 mile route from New York and around South America to San Francisco. In addition, this journey is also fraught with peril, especially at Cape Horn, known as the “sailor’s graveyard” for its unpredictable gale force winds and icy winter conditions. Merchants with large loads will still choose this shipping option, but always with trepidation.

The feasibility of moving sizable quantities of material and people by wagon trains into the west is demonstrated by the US Army during the 1846-47 Mexican War, and again by the great Mormon trek from Iowa to Salt Lake City in 1847. But here too the drawbacks include speed and risk. Thus the early Mormon caravan of seventy-five wagons and 300 men takes upwards of six months just to travel 1,250 miles through winter weather and tribal frays, from Nauvoo, Illinois to their new home in Utah.

Transportation of people and small parcels in the 1850’s is more streamlined, thanks to the Butterfield Overland Mail stagecoach line, later acquired by the Wells Fargo Corporation. This operation transports mail and passengers over 2,795 miles from St. Louis through Texas, New Mexico and Arizona, to San Francisco in 25 days, fulfilling its contract with the U.S. Postmaster General. This feat is accomplished by 4-6 horse teams racing at top speed between some 141 stop-over stations scattered along the route. While remarkably fast for their time, stagecoaches are unable to transport the heavy loads demanded by commerce.

When congress sets aside \$150,000 to survey the west, it is betting that a transcontinental railroad will deliver on the speed, load weight, safety and pricing required by the emerging industrial and global economy.

Time: As Of 1853

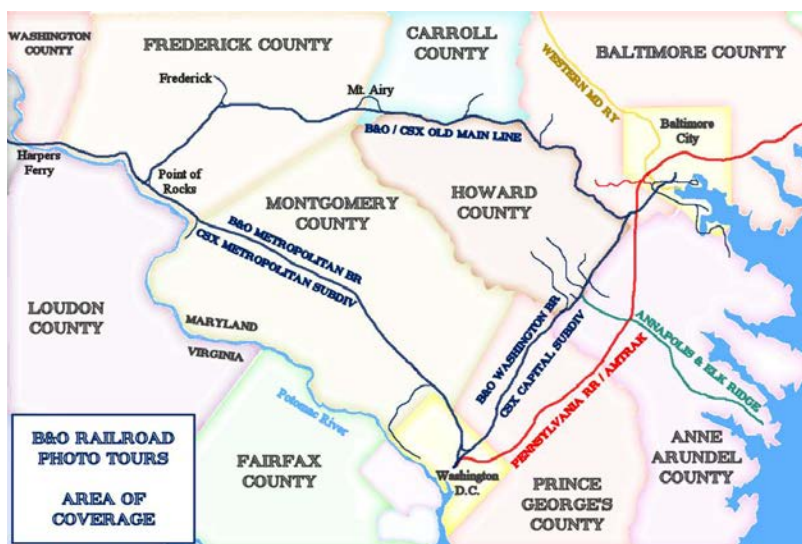
Railroads Are Already Succeeding In The East



A 4-4-0 Model Train Carrying Its Load Toward the City Of Richford, Vermont

By 1853, railroads are already an established part of the landscape back east.

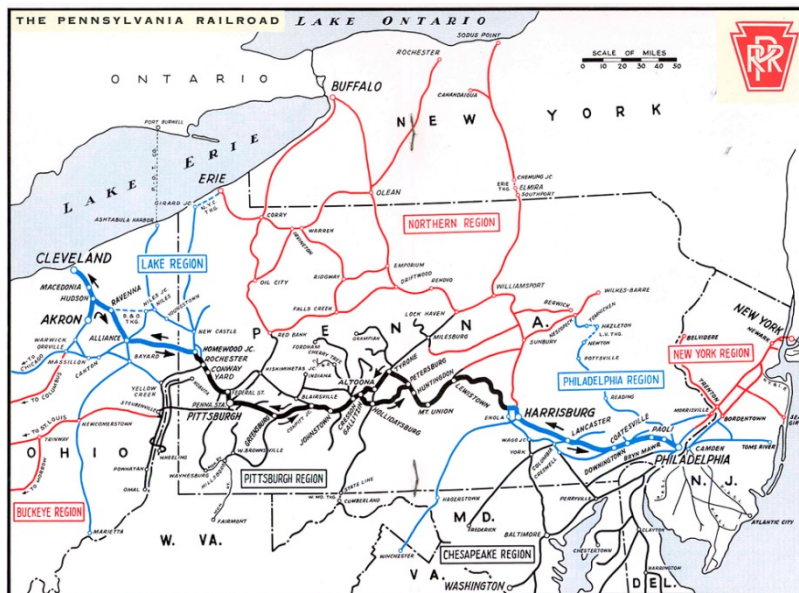
They begin to take hold in the 1830's, as the prototype B & O line moves goods from the port city of Baltimore, inland across Maryland in competition with the Erie Canal -- the 363 mile east-west colossus linking Buffalo on Lake Erie to Albany and ultimately to New York City.



The Early B&O Railroad Route West From Baltimore To Frederick County

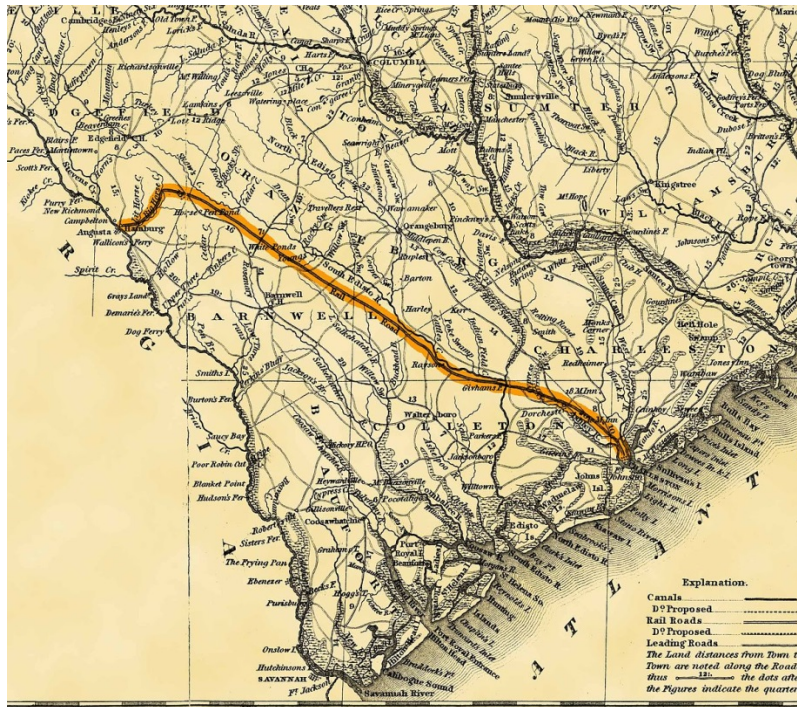
By 1852, the B&O has pushed on to Wheeling, Virginia, before turning north toward the Ohio River at the city of Parkersburg. Five years later, a series of railroad mergers will carry the B&O all the way through Cincinnati to St. Louis and trade along the Mississippi Valley.

During this same period, the industrialist and civil engineer, J. Edgar Thomson, is busily extending his Penn Central Railroad toward Indiana and Chicago. His venture, founded in 1847, will become the largest corporation in the world for a time, and he will earn the title “father of the modern railroad network.”



J. Edgar Thomson's Penn RR Stretching Initially From Philadelphia To Cleveland

The South trails well behind the North in railroad construction, but does begin to engage. In 1833, the Carolina Canal and Railroad Company, headed by William Aiken Sr., completes a 136 mile connection between Charleston and Hamburg, SC. Three years later it merges with a firm incorporated under the ambitious name of the Louisville, Cincinnati and Charleston Railroad, headed at the time by the former South Carolina Senator, Governor and renowned “Fire-Eater,” Robert Hayne. He will be succeeded in 1840 by James Gadsden, later the leading proponent of the 32nd parallel “Southern route” to the Pacific.



The South Carolina Canal And RR Route From Charleston To Hamburg, SC

While the various eastern lines are heading west, new railroads are also starting up in states along the Mississippi Valley -- their mission being to facilitate local commerce, while also contending for a major role in the inevitable drive across the continent.

Given the investment costs required to lay track, buy cars and manage daily operations, mergers become commonplace in the industry, along with sharing of facilities. Symbolic of the consolidations is the nation's first "Union Station," which opens on September 3, 1853 in Indianapolis, to serve multiple lines.

Between 1840 and 1860 the great American train race is under way, with a tenfold increase in the miles of tracks in operation, and seventeen of the largest twenty-five corporations in 1856 in the railroad sector.

Accumulated Miles Of Railroad Tracks By Region

Geography	1830	1840	1850	1860
Total U.S.	40	2,755	8,571	28,680
New England (Me,NH,Vt,Ma,RI,Ct)	30	513	2,596	3,644
Rem. North (Del,NY,NJ,MD,DC,Oh,Mi,In)	---	1,484	3,740	11,927
West (Il,IA,Wis,Minn,MO)			46	4,951
South/Border (Va,NC,SC,Ga,Fl,Al,Ms,Ky,Tn,La)	10	758	2,189	8,158

Time: As Of 1853

The Illinois Central Railway Is The Longest Line In The Nation



Map Of The Illinois Central Railroad Line In 1855

The dominance of the B&O and Penn Central railroads in the East is matched in the Midwest by the Illinois Central line, the first to take advantage of Washington's 1850 Land Grant.

The ICRR is chartered on February 10, 1851, and by 1853 it stands as the longest rail line in the entire world.

One leg of the IC runs from the lead mining town of Galena on the Mississippi down to the city of Cairo, also on the great river; a second leg is under way to connect Chicago to a junction at Centralia and from there to Cairo.

Two men influence the growth of the Illinois Central over time – one, Senator Stephen Douglas, its cheerleader in Congress, the other, attorney Abraham Lincoln, who handles most of its affairs in court.

Both regard their home state as somehow fated to play a strategic role in developing the west and linking it to the east, owing to its unique geography.

Thus Illinois lies toward the center of the country on its horizontal axis, and, being long and narrow, runs vertically nearly 400 miles down to its southern tip, nestled between the slave-holding states of Kentucky and Missouri. As such, Illinois will often be regarded as two states in one, half northern and half southern.

Also, of great importance, the state's northeast border is anchored in Chicago on Lake Michigan, which enables it to handle heavy duty commercial traffic arriving from the east by both train and water. Douglas recognizes this advantage in a January 20, 1851 letter to former Illinois Senator and colleague, Sidney Breese, in relation to building a transcontinental line:

It is necessary that the (rail)road should connect with the lakes in order to impart nationality to the project and secure Northern and Eastern votes.



The Geographically Central State Of Illinois

All that Illinois lacks in 1853 is a rail line heading west from Chicago, connecting the two legs of the ICRR, and then heading west all the way to California.

If Douglas can only get the senate on board behind his Nebraska Bill, and then lobby effectively for the trans-continental train route through Illinois, he will realize his grand “Young America” vision for the Mississippi Valley and the west. It will be linked back east by train tracks and telegraph lines and boast a diverse and modern economy, amenable to rural life and farming, but also marked by large urban centers, factories and associated “wage jobs.”

All with the state of Illinois and the city of Chicago becoming the central hub in this development, funneling commercial traffic throughout America, east and west, north and south.

Sidebar: The Two Springfield Lawyers With Deep Financial Ties To The IC Railroad

Two Springfield attorneys, Stephen Douglas and Abraham Lincoln, will become heavily dependent upon the Illinois Central Railroad for their personal wealth.

In Douglas' case, this traces to his extensive speculation in land around Chicago, which the ICRR will eventually need to purchase as its "right of way" to lay tracks.

By 1852 he will own 75 acres of this land along the lakefront, south of the city. He also purchases several thousand acres to the west, and additional plots on the south branch of the Chicago River and around Lake Calumet.

In 1855 he recalls paying roughly \$11,300 in total for these properties.

His return on this investment is remarkable. In 1856 his first 75 acres are already valued at \$60,400 for tax purposes, and the ICRR soon pays him \$21,300 for only a few of the acres situated on the lake. In that same year he sells 100 of his acres on the west side of the city for \$100,000, and another 16 acres along the lake for \$20,000.

Douglas's wealth is supplemented by profits from a 3,000 acre cotton plantation on the Pearl River in Mississippi that his first wife, Martha Martin, inherits as a wedding gift from her father. The plantation is valued at \$100,000 and is worked by some 140 slaves. For political reasons, Douglas is careful to keep ownership in the name of his wife, and later their children. While he makes only three personal visits to the plantation, he hires and corresponds regularly with a local manager, Richard Strickland, and enjoys a 20% share of the annual profits.

Douglas will continue to speculate in land and to lead an extravagant lifestyle. The combination leaves him land rich but cash poor in the end and results in mortgages against his Chicago area land and a trade-down to a lesser plantation in Mississippi soon before his death.

Like Douglas, Abraham Lincoln is also deeply involved in the affairs of the ICRR.

In 1853 Lincoln is busily practicing law in Springfield, punctuated by stints in politics.

But during his time in the Illinois legislature, and in his one term (1847-9) in the U.S. House, he consistently votes to fund and construct a railroad system running across his home state. As a private citizen, he also earns his living as a lawyer, with the Illinois Central line by far his leading client.

Between 1853 and 1861 Lincoln represents the ICRR on literally hundreds of cases in suits involving rights of way, property damage, trespass, taxes and freight claims. He will argue eleven of these disputes in front of the Illinois Supreme Court – earning his reputation as one

of the top attorneys in the state, and also connecting him to a broad array of capitalists and political figures.

Perhaps his most famous case is *Illinois Central Railroad Company v County of McLean (IL) and George Parke, Sheriff and Collector*. The county sits in the middle of Illinois, with depots serving several scattered towns.

In 1852 the county decides to challenge the incorporation charter which says that if the IC pays a share of its revenue – 5% for the first five years and 7% for the next five – to the state, it will be exempt from all other forms of taxation.

It does so by attempting to levy a separate property tax on the line, involving a fairly modest payment of \$418. But the IC recognizes that submitting to the McLean charge will open the taxing floodgates for other localities across the state. It therefore refuses to pay, at which time the tax collector, George Parke, threatens to auction off IC land to collect the debt.

The IC responds by retaining Lincoln, for \$250, along with two other lawyers to defend the legality of the charter in court. An injunction is filed to halt Parke's planned auction, and a local trial is held in November 1853 before presiding Judge David Davis – who, seven years hence, will become one of Lincoln's floor managers at the Republican nominating convention.

When Davis finds for the railroad, McLean refuses to give up and appeals the case all the way to the Illinois Supreme Court. Lincoln argues there on behalf of the IC in February 1854 and a second time in January 1856, as the case drags on. But again the IC wins a major victory.

What follows next makes the case linger in historical lore. Lincoln submits an uncharacteristically large bill -- for \$5,000 -- to the IC, perhaps in response to some forever unknown falling out during the case. Several corporate stockholders in the IC, particularly in England, refuse to pay the amount, commenting that the Governor of Illinois earns only \$1,000 and year, and "not even a Daniel Webster" would charge that much.

In response, Lincoln sues the IC, and wins the judgment in June 1857 when no railroad lawyers show up at the scheduled trial. Lincoln will use his windfall fee to fund his upcoming political campaigns. He will also continue his involvement with the IC after the dispute.

(Research into Lincoln's finances by modern scholars show that his other two largest legal bills were \$500 in the 1855 Rock Island RR Bridge case and \$1,000 in the 1857 "Reaper Case.")

Chapter 174 - Surveys For Transcontinental Railroad Routes Completed In 1853-54

Time: 1849-1853

The California Gold Rush Tips The Scales In Favor Of A Transcontinental Railroad



The Penn State Railroad Heading Through Jacks' Narrows Gorge

Musings about a transcontinental railroad go all the way back to the 1830's.

But the first serious promoter of such a venture is one Asa Whitney, a dry goods merchant, who makes a fortune trading tea and spices in China during a trip there in 1842-44. From this experience, he imagines the possibility of importing more goods from throughout Asia and then transporting them to eastern markets by rail. The route he envisions would begin in the Pacific Northwest at Vancouver, then swing down to the South Pass and back to St. Louis along the Oregon Trail. Whitney sums up his plan in a formal document, *A Project for a Railroad to the Pacific* and lobbies for it with Congress in 1849, before eventually giving up.

Whitney's banner is picked up in 1845 by Stephen Douglas, then a freshman in the U.S. House. His proposal enjoys support, but stalls when other cities – St. Louis, Quincy, Memphis, and New Orleans – offer alternative routes.

Congress returns to the notion in 1850 when it passes the first of what will be several Land Grant Acts, this one setting aside 3.75 million acres of public property to construct a railroad from the Great Lakes to the Gulf of Mexico. This land would be given free to any developer in exchange for future reduced rate shipping of government goods.

The effects of the Gold Rush, however, quickly shifts attention back to reaching California. This prompts the 1853 Appropriations Bill “To Ascertain the Most Practical and Economical Route for a Railroad From the Mississippi River to the Pacific Ocean.”

Between 1853 and 1855, four different routes to California will be explored by the Army’s Corps of Topographical Engineers. These crisscross the nation at the 49th, 39th, 35th, and 32th parallels, from the Canadian border in the North to the Mexican border in the South.

At stake in the final choice is the opportunity to lead the commercial development of the west, and to reap the economic bonanza that will hopefully follow. Each of the contenders will rally its own set of potential investors and look to its own leading politicians to make their case in Congress – a task that will involve the cleverest forms of horse-trading.

Among the many maneuvers that follow will be one proposed by a frustrated Steven Douglas involving the Nebraska territory that will inadvertently spark the American Civil War.

Time: 1849-1853

Political Maneuvering Begins Over Choosing A Final Route

Political leaders have already begun to lobby for their regional interests by the time Congress officially sets aside money in 1853 for exploration.

Asa Whitney’s call for a line ending at the mouth of the Columbia River is picked up by recently named Governor of Washington Territory, Isaac Stevens, a West Point grad, veteran of the Mexican War and an early supporter of Pierce in the 1852 race. Instead of Whitney’s angle through the South Pass, he proposes a straight shot along the Canadian border at the 49th parallel. As an engineer and surveyor himself, Stevens will eventually lead the team during the actual exploratory phase.

The far Southern route along the 32nd parallel is favored by Pierce’s Secretary of War, Jefferson Davis, and by the influential Charleston native, James Gadsden, who will serve as his Ambassador to Mexico. Gadsden is 65 years old and an ex-army man, having been aide de camp to Andrew Jackson in the War of 1812 and then Seminole War in Florida. He joins Calhoun’s Nullifier movement, runs his *Pimlico* rice plantation which boasts 235 slaves, and serves as President of the South Carolina Railroad for a decade. After proposing secession in 1850, he sponsors a bill to divide California into two states, with the southern half open to slavery and San Diego as his proposed terminal for his southern transcontinental line.

Other powerful men will argue on behalf of a central route, somewhere between the 38th and 41st parallel.

One is the aging Thomas Hart Benton, who represents Missouri in the Senate between 1821 and 1851, before being denied a sixth term for his growing reservations about the expansion of

slavery. But Benton remains a giant in both Washington and Missouri, and he is dedicated to positioning St. Louis as the hub for the Pacific line.

In February 1849 the Senator unveils what becomes known as “Benton’s National Central Highway.” It proposes a line funded and owned by the U.S. government rather than by private corporations as Whitney would have it. The tracks would be laid over a strip of set-aside land – 1600 miles long and 100 miles wide – running from St. Louis to San Francisco. The route he chooses follows that taken and well documented by his “Pathfinder” son-in-law, John C. Fremont, during his 1842-45 expeditions.

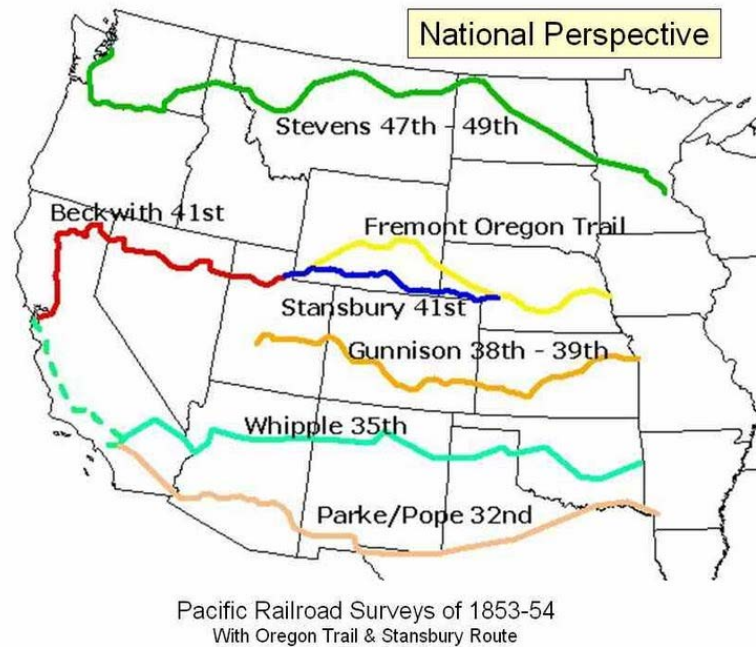
Illinois Senator Stephen A. Douglas, Chairman of the powerful Committee on Territories in Congress, continues to back the central path, although, unlike Benton, he supports Chicago, not St. Louis, as the linchpin for the new line.

Benton and Douglas first clash over their differences at a National Railroad Convention which opens on October 15, 1849 in St. Louis. Benton touts St. Louis as the gateway to the west, citing its history as jumping off point for trailblazing expeditions to the coast. Douglas counters by citing Chicago’s unique access to both waterways and railroads back to the Atlantic coast.

One week later, on October 23, a second railroad convention is held, this time in Memphis. Some 400 attendees show up, including delegate Asa Whitney and a brief visit by Jefferson Davis. The outcome predictably favors a southern route heading from San Diego along the Mexican border to the Mississippi River and eventually terminating in Memphis.

Time: June 6, 1853

Mapping The Northern Route



Map Showing The Five Routes Explored In 1853-54 For A Transcontinental Railroad

On June 6, 1853, the first of what will prove to be five exploratory parties heads off in search of the ideal route for the pacific railroad – one marked by straight stretches of flat land, the absence of steep grades (capable of stalling an engine), access to fresh water and lumber, and friendly tribes, among other things.

This first group is dedicated to a Northern passage along the 49th parallel. It is led by Isaac Stevens, Territorial Governor of Washington and his chief assistant, Captain George McClellan of the army engineers. They are joined by a large support contingent including topographers, artists, astronomers, geologists, botanists, meteorologists, sappers and miners, linguists, a surgeon and a quartermaster.



Map Showing Steven's Move From The Mississippi To The Missouri River

By August 1, Stevens has moved from St. Paul on the Mississippi River, west to the Missouri River in what will become, in 1889, the state of North Dakota.

For the next ten weeks, the expedition proceeds across Montana and into the Rocky Mountains, with several separate contingents trying to locate a satisfactory train route.



Map Showing The Path Through The Rockies To The Coeur D'Alene Mission

On October 18, 1853, the main party arrives at Coeur D'Alene in northern Idaho, where the Jesuits have established the Sacred Heart Mission to convert local tribes to Christianity. Among these are the Nez Pearce people who proved invaluable to Lewis & Clarke in their 1804-06 journey to the coast. Stevens' diary records a "message from the Great Father" that he delivers at the Mission:

I am glad to see you and find that you are under such good direction. I have come four times as far as you go to hunt buffalo, and have come with directions from the Great Father to see you, to talk to you, and to do all I can for your welfare. I see cultivated fields, a church, houses, cattle, and the fruits of the earth, the work of your own hands. The Great Father will be delighted to hear this, and will certainly assist you. Go on, and every family will have a house and a patch of ground, and every one will be well clothed. I have had talks with the Blackfeet, who promise to make peace with all the Indian tribes. Listen to the good father and the good brothers who labor for your good.

After departing Coeur D'Alene, the band treks across the Washington Territory, arriving at Ft. Vancouver on November 19, 1853.

The entire trip has taken five and one-half months to complete, and the information collected will be written up in fine detail and eventually handed over to the sponsor, Secretary of War, Jefferson Davis, for publication in February of 1855.

Despite Steven's enthusiasm for "his route," critics are troubled by the failure to identify a solid path through the Rockies, and by concerns over the likely snowfall and challenging winter conditions associated with the 49th parallel option.

Time: June 23, 1853

Tragedy Strikes The "Central Route" Expedition

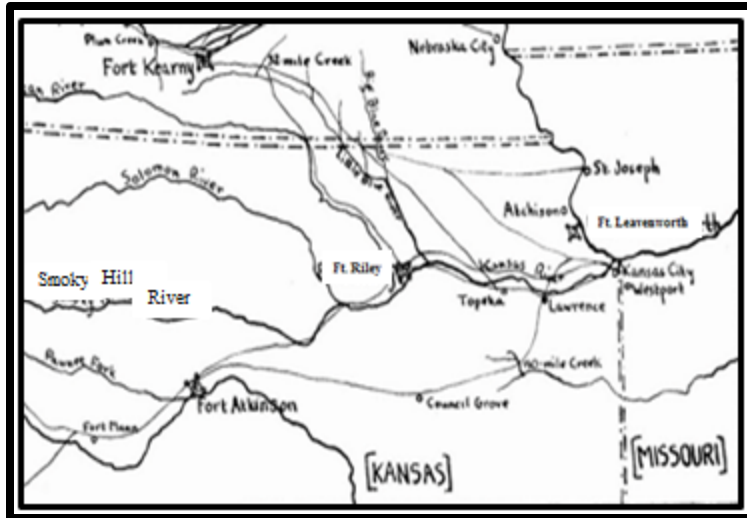


"Scouts" Lithograph By John Mix Stanley (Volume XII)

Captain John Gunnison is forty years old when he sets out along with First Lieutenant Edward Beckwith to explore a Central path, favored especially by Benton, given its jumping off point in Missouri. Their party passes through St. Louis and Ft. Leavenworth to Westport, Missouri, and departs from there on June 23, 1853, heading southwest along the old Santa Fe Trail.

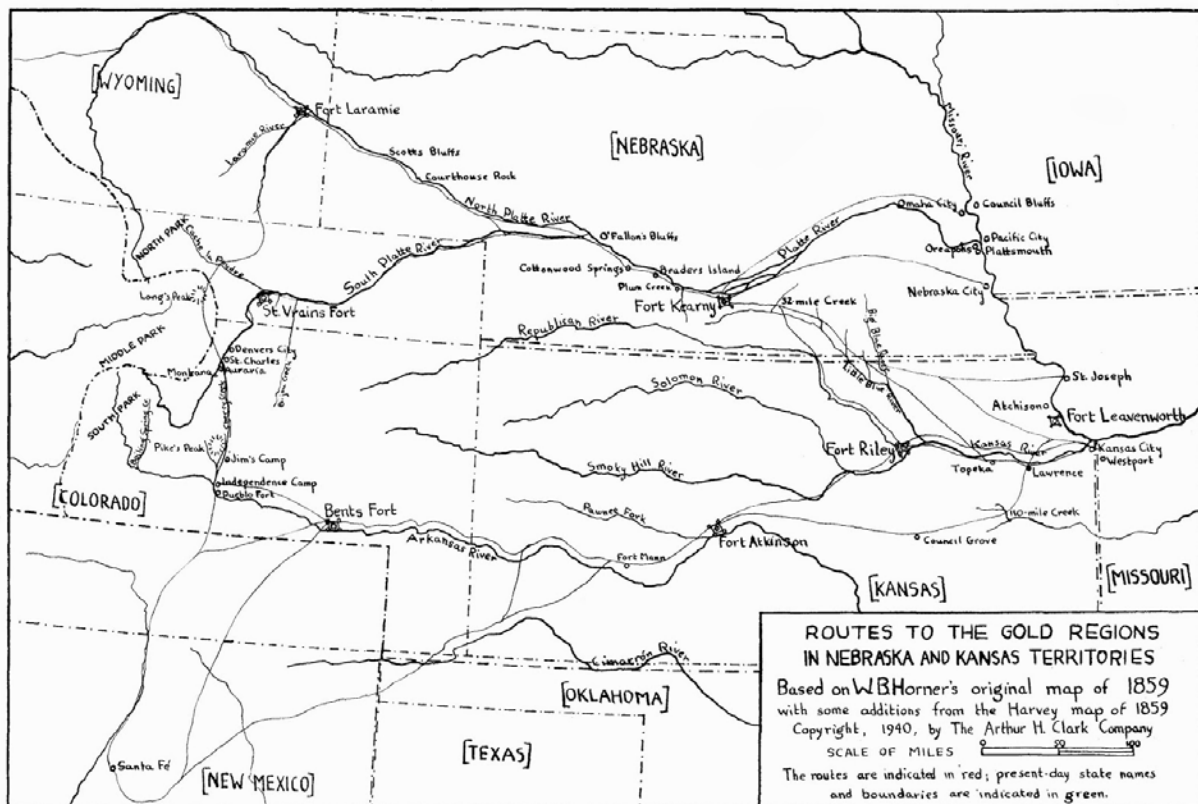
On July 4 they reach Ft. Riley, where the group splits for the first time, with Gunnison heading west over unexplored ground along the Smoky Hill River, while Beckwith drops south about thirty miles along the Santa Fe Road.

Gunnison crosses the Smoky Hill River and reunites with Beckwith at Walnut Creek, a branch of the Arkansas River, east of Ft. Atkinson. At this point, Gunnison computes that he has gone 322 miles from Westport along his river route, while Beckwith has traveled 293 miles over the Santa Fe Trail.



Map Showing Forts Leavenworth & Riley And The Smoky Hill River

They then continue west alongside the Arkansas River, past Ft. Atkinson and all the way to Bent's Fort, an abandoned military outpost, where they arrive on July 29, 1853. So far the well-known path they have followed offers no new surprises or barriers to a "Central" railway solution.

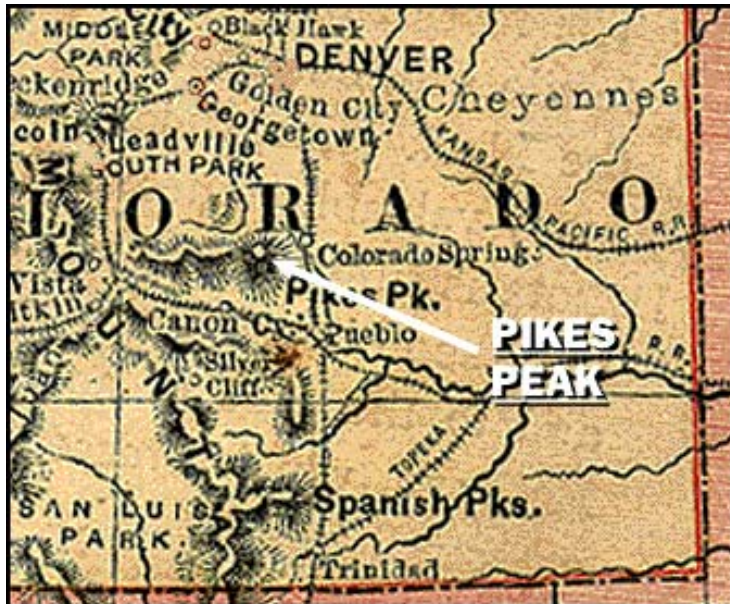


Map Showing Ft. Atkinson, Bent's Fort, And Pike's Peak

Leaving Bent's Fort they swing sharply north and, on August 6, come upon a memorable vista centered between Zebulon Pike's Peak and the Spanish Peaks in southern Colorado.

Pike's Peak to the north, the Spanish Peaks to the south, the Sierra Mojada to the west, and the plains from the Arkansas—undulating with hills along the route we have come, but sweeping up in a gentle rise.

Head due west, Gunnison explores potential sites through the Spanish Peaks while Beckwith tours the San Luis Valley. Concerns are raised here about the amount of winter snow in San Luis, and the likely need for a tunnel through the mountain range coming out of the Valley.



Map Showing Pike's Peak, The Spanish Peaks And The San Luis Valley

On August 23 they reach Ft. Massachusetts and get ready to head further into the mountains toward what will later become known as the town of Gunnison, Colorado – at the eastern edge of the Gunnison River. After traveling west along the river for some forty miles, a breathtaking site, the Black Canyon, comes into view:

A stream imbedded in (a) narrow and sinuous canyon, resembling a huge snake in motion. To look down over...the canyon below, it seems easy to construct a railroad; but immense amounts of cutting, filling and masonry would be required.



Map Showing Pike's Peak And The Future Town Of Gunnison, Colorado.

Their journey continues into Utah over the next two months, taking them down the Colorado and Green Rivers and across the Wasatch Mountains to the Sevier River, near the Utah Tribe's Manti Settlement. Gunnison decides on October 25, to break away from the main party and explore Sevier Lake. It is a fateful decision as his detachment of twelve men is attacked on the morning of October 26, purportedly by a band of Pahvant Utes, at war with local Mormon settlers. Eight men are killed including Gunnison, who is found mutilated, with fifteen arrows in his corpse. When second-in-command Beckwith learns of the battle from the survivors, he circles back to bury Gunnison and the other victims.



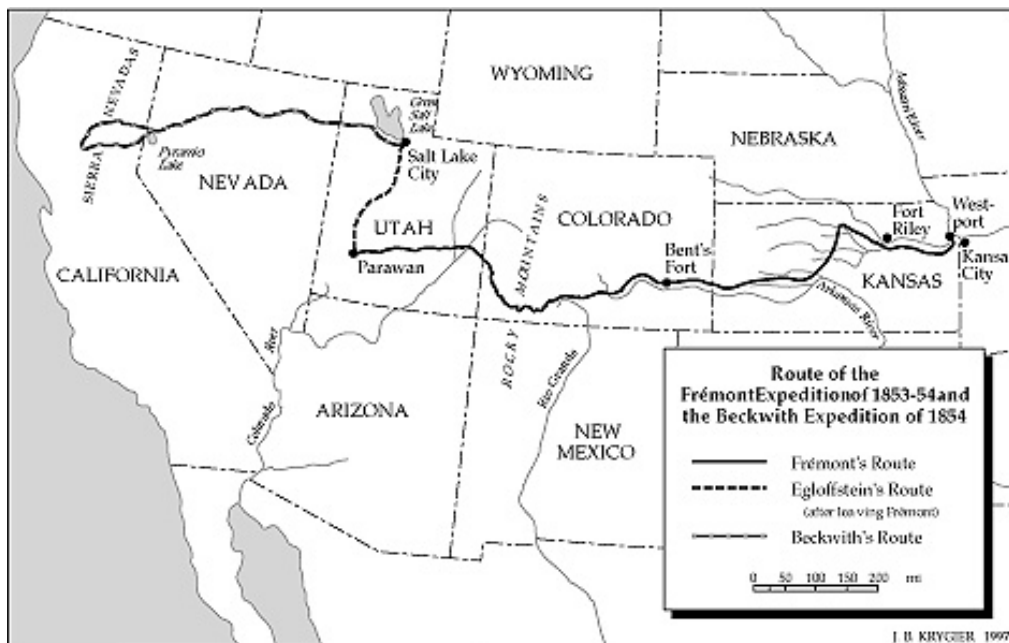
Map Showing The Green River, The Wasatch Mountains, The Sevier River, Sevier Lake & Where Gunnison Dies

The party has traveled some 1566 miles when Beckwith succeeds Gunnison. On October 31, he heads north to Salt Lake City, arriving there on November 8 and settling in for the winter. He

receives orders to continue west, and sets out on April 4, 1854, heading across Nevada to the Sierra range, and reaching the Madeline Pass on June 25.

From the summit of the pass it would be easy, for some miles, to carry a railway on the hillsides, descending at pleasure; but further down, this would become more difficult, on account of the curves which the hill ravines would require, but it is still practicable. For this purpose the northeast side is the most favorable; for although containing the largest number of ravines, they are the smallest, and it is unbroken by cañones. The western descent of the pass is heavily timbered to near our present camp, and there is a fine warm spring, in a basin of rocks, just where we ascended the high spur to avoid the creek.

On July 12 Beckwith arrives at Ft. Redding in northern California, before ending his tour on July 15 at Sacramento.



Map Showing Beckwith's Route From Salt Lake City Through Nevada Into Northern California

The expedition's final report covers both of its phases – the Gunnison-led search along the 38th and 39th parallels through Colorado, and Beckwith's swing further north at the 41st parallel. While both routes are deemed viable in 1855, it is Beckwith's 41st parallel leg that prevails when the actual tracks are laid between 1863 and 1869.

Time: July 2, 1853

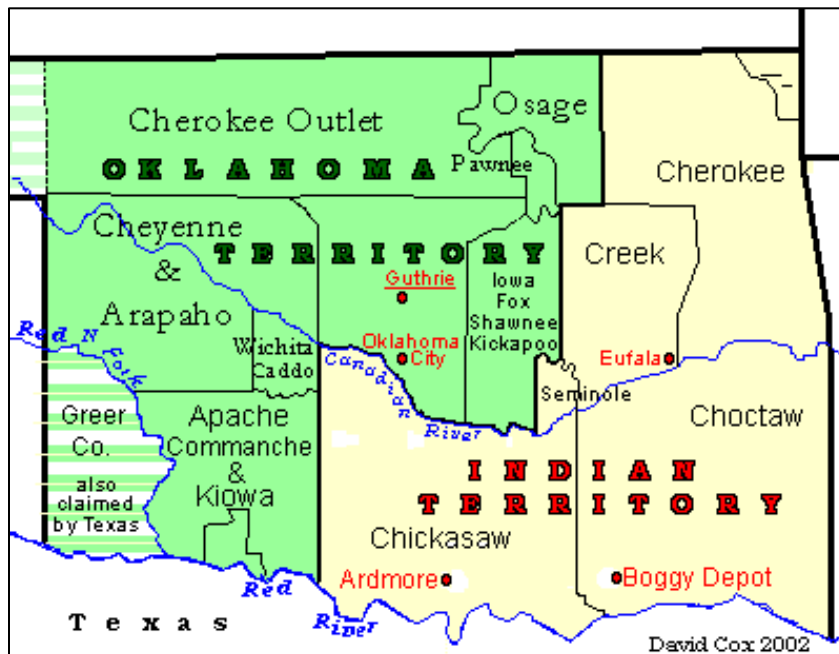
The Upper South Route At The 35th Latitude Is Completed



Lieutenant Amiel Whipple is chosen to lead the investigation of a route at the 35th parallel, from Ft. Smith, Arkansas, to Pueblo de los Angeles, California. He is 34 years old at the time, trained in astronomy, surveying and engineering, and just back from completion of work on a railroad line in Texas.

Whipple and his party depart from Ft. Smith on July 2, 1853, crossing the Arkansas border into the territory (later Oklahoma) set aside for the “five civilized tribes,” forcefully driven off their lands around Georgia in 1837. Their path takes them between the Red River to their south and the Canadian River to their north, across the homes of the Choctaw, Chickasaw, Comanche and Kiowa Nations. They encounter no hostility along the way.

Brigadier General Amiel Whipple –
KIA Chancellorsville (1818-1863)



Map Of Whipple's Path West Between The Red & Canadian Rivers Into Tribal Lands

Proceeding west across the upper reaches of the Texas panhandle, they sweep into the New Mexico Territory at the frontier town of Anton Chico, founded in 1822 during Spanish rule. It is now “public domain land” owned by the United States, and is currently populated by some 500 settlers. Whipple arrives at Anton Chico on September 26, some two months after leaving Ft Smith.



Map Showing Path From Anton Chico To The Zuni Tribe, The Mojave Desert And Los Angeles

He drives on to Albuquerque, arriving there on October 3, 1853. He splits his party there into two wings to explore the upper Rio Grande Valley for an ideal route to the west. They re-group at the Zuni trail, an old Spanish road and move on toward the home of the Zuni Nation. The Zunis are descendants of the original “Puebloans,” and are noted for their elaborately tiered adobe buildings, advanced horticultural skills, generally industrious culture, and complex religious beliefs, symbols and practices. On November 20, 1853, the expedition records impressions of an ancient Zuni site left in ruins:

The village was compactly built... The entrance to the dwellings was by a ladder, or rather post, cut into steps, and inclined to rest upon the roof...Fragments of pottery were strewn around...a piece of volcanic scoria was found, the first seen among the ruins; also an axe made of greenstone, nicely grooved and beautifully polished.

Upon returning to the Zuni village, they also encounter a distressing sight:

...a most revolting spectacle met our view. Smallpox had been making terrible ravages among the people, and we were soon surrounded by great numbers-men, women, and children-exhibiting this loathsome disease in various stages of its progress

Whipple’s band then travels some 375 miles to the north-south branch of the Colorado River, and beyond it to the edge of the Mojave Desert in southern Nevada, arriving there on January 25, 1854.

The Mojave Desert terrain runs east to west for 150 miles into southern California. It is configured in typical “range and basin” fashion – with sizable hills rising in places to 2,000 feet, graduating into rolling flatland, including Death Valley, at 285 feet below sea level. Its summer daylight heat reaches 115-120 degrees Fahrenheit, while its winter nights plunge below zero.

Standing sentinels in this “high desert” landscape are its distinctive evergreen Juniper Trees. The “up and down” features and vegetation suggest a name to Whipple’s crew:

Having watered our mulada, we travelled five miles east-northeast up a dry arroyo to its head; and thence climbed a steep ridge several hundred feet high, to the lowest summit we could find... From the peculiar vegetation of this place, we propose to give it the characteristic name of Cactus Pass.

Once across the Mojave, it is up into the San Bernardino mountains and then down into the valley leading to the final destination at Los Angeles. The party arrives there on March 17, 1854, just over nine months and 1500 miles from Ft. Smith, Arkansas, where they started.

Whipple concludes that the 35th latitude route is quite viable, albeit requiring some meandering around obstacles and numerous bridges to cross frequently encountered streams. But water and wood are mostly plentiful; the tribal populations seem sufficiently peaceful; and the winters mild enough to avoid the threats of snow and ice.

Time: January 24, 1854

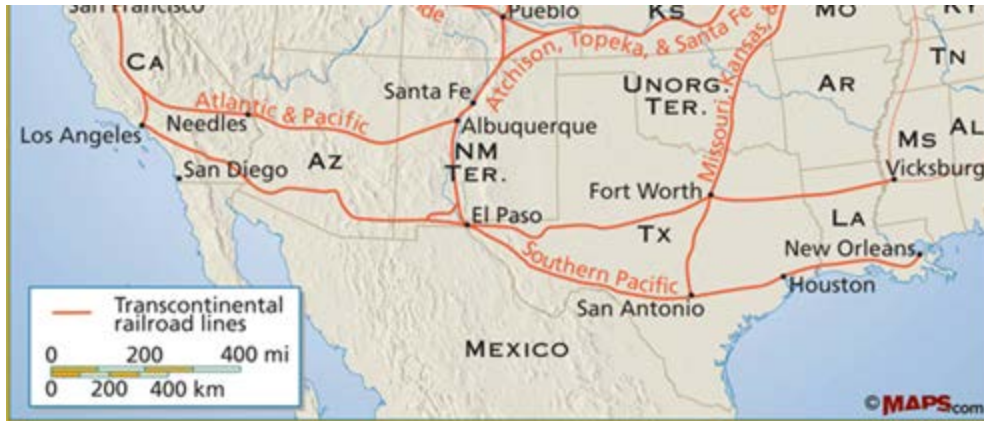
Exploration Begins On The Southernmost Route At The 32nd Parallel



Major General John Parke (1827-1900)

The fourth and final search for the optimum train route – this along the 32nd parallel -- involves two different teams, each starting at a westernmost point and heading back east.

The first group, under twenty-six year old Lt. John Parke moves inland from San Diego along the contested border with Mexico, and ends at the Rio Grande River, near El Paso. The second, led by thirty-one year old Captain John Pope, explores a host of different routes from the Rio Grande across Texas, to his final destination at Ft. Smith, Arkansas.



Map Showing The General Territory Covered By The Parke & Pope 32nd Latitude Expeditions

Parke's company comprises twenty-eight engineers and explorers, along with a comparable number of U.S. cavalry troops, assigned to insure their safety in case of clashes with Mexican patrols. He departs on January 24, 1854 from Ft. Yuma, on the eastern border of California, where the Gila River runs into the Colorado River. Following along the left bank of the Gila, he is soon well into the lands of the Maricopa and Pima Tribes, along a trail blazed by Captain Philip St. George Cooke during the Mexican War.



Map Of The Gila River Junction With The Colorado Near Ft. Yuma And The Territory South Belonging To The Maricopa And Pima Tribes

By February 13 the band has traveled 390 miles from San Diego over easy terrain, albeit with scarce access to forage for their animals. Parke comments on this, as well as the warm reception from various tribal elders.

While on the Gila, the great scarcity of grass and other forage was a constant source of anxiety...but by dint of great care and attention on the part of Lieut. Stoneman...we succeeded in reaching the first of the Pimas and Maricopa's villages, with all our animals, on the 13th of February... We had numerous visits from the Pimas and Maricopa's. Their chiefs and old men were all eloquent in professions of friendship for the Americans, and were equally desirous that we should read the certificates of good offices rendered various parties while passing through their country.

Their stay is brief, and on February 16 they swing south to Tucson, arriving there only four days later, and presenting their credentials to the local Mexican commandant. Their next leg takes them further into Cochise land, past the distinctive Dos Cabezas Peaks and through the 9,000

foot Chiricahua Mountain range at the Puerto del Dado (later known as Apache Pass). They head into the Mesilla Valley and locate Ft. Webster, built to guard the Santa Rita copper mines, but recently burned, presumably by the Apaches. Parke ends his part of the Far Southern expedition on March 10, 1854, at Ft. Fillmore, on the sand hills above the Rio Grande.



Map Outlining The Territory Covered By Parke's Expedition From San Diego To El Paso

The explorers have traveled a total of 550 miles between San Diego and El Paso. The path is very direct, free of any challenging mountain barriers, and ideal for laying track. The only concern cited is a scarcity of fresh water, with only nine streams available along the way.

Time: February 12, 1854

A Second Party Completes The 32nd Parallel Assessment



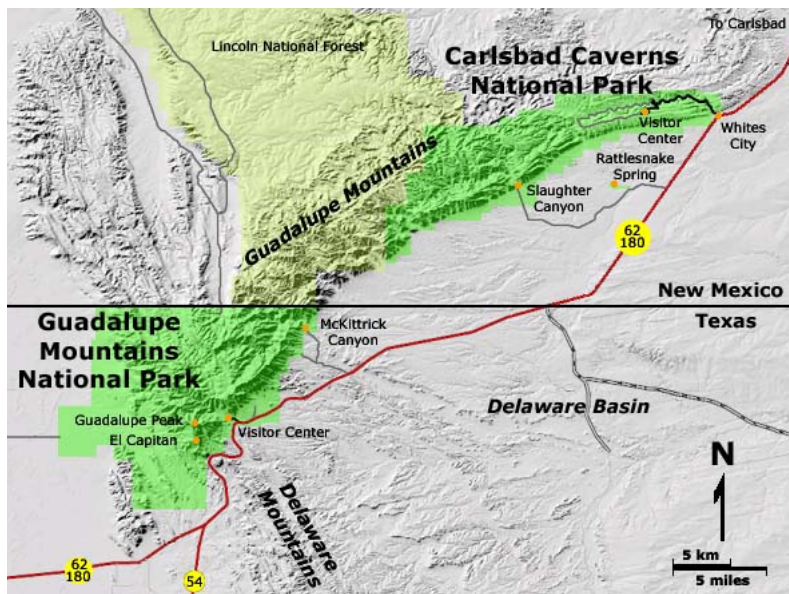
Major General John Pope (1822-1892)

On February 12, 1854, one month before Parke arrives at El Paso, Captain John Pope sets out from Los Cruces, New Mexico, to explore potential train routes across Texas. With him are some 50 expeditionary members, and a security detail of 25 U.S. troops. Pope's orders will take him eastward through El Paso, across the Guadalupe Mountains and onto the vast Llano Estacio Desert -- then northward to the Red River border with Oklahoma, above Denton.



Map Showing El Paso, the Guadalupe Range, Colorado River And Denton

After navigating the Guadalupe range, Pope sets up camp for his core team in the Delaware basin. On March 10, he sends one party back into the mountains seeking a better passage, which they fail to find. At the same time he orders his second-in-command, Captain Taplin, along with ten men, to tackle what appears to be the most dangerous part of the mission, crossing a 150 mile stretch of the Llano Dessert. While waiting to hear from Taplin, Pope has some excitement of his own, when a small band of Apaches start a prairie fire hoping to drive him off their land..



Map Showing The Guadalupe Range And The Delaware Basin

On March 13, Taplin reports that he has made it across the Llano, despite having to abandon his wagons in the sandy terrain, and suffering from a lack of water. Pope breaks camp at the Delaware, traveling east across the nearby Pecos River toward the Colorado River. He also dispatches a second party to follow Taplin's dessert path while carefully recording grades and assessing the potential to drill artisan wells for water.

After crossing the Colorado, the main body again encounters Apaches, led by one memorable chief:

They were led by a most outre looking figure. This was Sanchoz, one of their chiefs, dressed in an infantry captain's uniform coat, silver epaulets, red sash tied over his shoulder, non-descript pantaloons, and moccasins; add to them a military cap with an enormous red pompon, and some idea may be formed of (the) exhibition....



Map Showing The Pecos, Colorado And Brazos Rivers Pope Crosses

Pope now swings sharply north and picks up a military trail connecting a string of recently constructed military forts. He stops at Ft. Chadbourne for supplies before continuing over the Brazos River, past Ft. Belknap and on to the Red River boundary of Texas near the town of Preston. His total journey has taken him 640 miles from El Paso over 83 days, including the 31 day stopover at Delaware Creek.



Map Showing Ft. Chadbourne And Ft. Belknap Along The Military Trail Leading To The Red River Border Of Texas

Pope concludes that his 350 mile route would prove ideal for railroad construction. The only challenge he sees is the shortage of water experienced at the Llano Estacio Dessert.

Time: 1856

Secretary Of War Davis Issues His Final Report On The Four Expeditions

In addition to the \$150,000 set aside in 1853, Congress approves another \$190,000 to complete the expeditions.

Reports from the teams flow into Washington throughout 1854, each providing careful details about the western landscape – not only related to railroad engineering but also regarding fresh water, lumber and forage, local geology, vegetation, botany (fauna, flowers, trees, etc.), zoology (mammals, birds, fossils,) climate, barometric pressures, temperatures, astronomical locations, indigenous people, language and customs.

The facts are accompanied by artist's renderings, diaries and official records to bring the science to life.



"Herd Of Buffalo" Lithograph By John Mix Stanley (Volume XII) Of Report)

Between 1855 and 1860 a total of twelve leather bound volumes will be printed and published on the surveys, at a further expense of \$1.3 million for some 20,000 copies. Together they chronicle the sum total of existing knowledge about the Territories. The content is widely covered in newspaper reports and referenced in ongoing debates about the railroad.

Secretary of War Jefferson Davis is charged with recommending the optimal route to Congress, and he is both serious and objective in this duty – and he announces his conclusion before Congress in 1856.

As will be demonstrated over time, he finds all options viable, albeit with different degrees of difficulty and investment.

Still, the hands-down winner is the southernmost path from New Orleans through Texas to El Paso, and on to Yuma and Los Angeles. The route is very direct, over land that has relatively few mountains, and a generally mild winter climate. Its only drawbacks are some areas where water and forage are scarce, and a strip of land west of El Paso that remains disputed with Mexico (soon to be resolved with the "Gadsden Purchase").

Time: 1869

Future Construction Of The Railroads



Map Showing The Nation's Principal Railroad Lines Up To 1890

Unfortunately the ambitious plan to begin construction on the railroad is postponed due to sectional animosity that intensifies in the 1850's over the future of slavery in the west.

Action materializes only after the South secedes from the Union and the Civil War is under way. On July 1, 1862, then President Lincoln signs the Pacific Railway Act incenting two corporations to construct tracks along a central route at the 40th parallel, from Council Bluffs, Iowa to San Francisco, California.

Ironically this is the path terminating in Chicago favored by Senator Stephen Douglas since 1845 and ignored during the 1853-55 surveys. The Little Giant, however, never lives to enjoy his success -- dying suddenly on July 3, 1861, of typhoid fever, at only forty-eight years old.

The Two Corporations Who Build The First Transcontinental Line By 1869

Corporations	Line Runs	Key Owners	Details
The Union Pacific	Council Bluffs, Iowa Omaha, Nebraska Cheyenne, Wyoming Ogden, Utah Promontory Point, Utah	Dr. Thomas Durant In 1880, Jay Gould	Construction head is J.D. “Pete” Criley, backed by largely Irish vets of the Civil War working for a handsome \$2 a day.
The Central Pacific (later the Southern Pacific line)	Promontory Point, Utah Sacramento, California San Francisco, California	“The Big Four” Leland Stanford Collis Huntington Charles Crocker Mark Hopkins	Begun in 1863 with Crocker as construction head and 15,000 laborers, 80% Chinese immigrants

This deal struck by the ex-Whig Lincoln is right out of the Henry Clay playbook for developing needed infrastructure through a combined public and private partnership – with each side sharing in the risks and the rewards.

The underlying assumption is that “demand” for the new railroad will be sufficiently great to offset what are certain to be staggering construction costs. For this to be the case, the new trains must transport both goods and passengers at a much faster rate and with less risk than the existing option – ships sailing around South America’s Cape Horn.

The 1862 bill gives each corporation “rights of way” land grants to lay their tracks, surrounded by 200 feet on each side of the rails. In total, some 175 million acres -- equaling the size of Texas – are handed over by 1871.

The capital required for construction is raised through government backed bonds issued to investors with a guaranteed 6% per year rate of interest. The target amount assumes roughly \$16,000 per mile of track laid on flatter land, and from \$32,000 to \$48,000 per mile between the Rocky and Sierra Mountain ranges. This money is temporarily loaned to the corporations to cover their costs for building the lines – to be repaid in full once the trains are running and producing revenue for the private owners.

After some six years of hard labor by largely Chinese and Irish work crews, the two lines – spanning 1,928 miles -- are joined at Promontory Point, Utah, on May 10, 1869. By November of that year, commercial traffic is up and running, including passenger travel from Council Bluffs, Iowa, to San Francisco, for a one-way fare of \$65.

The costs to construct the first line are less than originally thought, albeit still immense -- at \$36-52 million for the Central Pacific portion in the west, and another \$60 million for the much longer, but “easier” Union Pacific branch.

Once shaken down and running smoothly, the hoped-for advantages of the transcontinental train for both commercial shippers and passengers are readily apparent – in greater speed and reliability.

Time From New York To San Francisco -- 1876

	Number Of Days
Transatlantic Railroad	4-10 Days
Sailing Ships	100
Wagon Train	150

What follows is a financial boom for the railroad corporations that mirrors the gold rush, and tycoon status for the lead investors, who are soon known as “Robber Barons” for their ruthless business practices.

The Early “Robber Barons” Of Railroading

Mark Hopkins (1813-1878)	Leland Stanford (1824-1893)
Henry Plant (1819-1899)	Henry Flagler (1830-1913)
Collis Huntington (1821-1900)	Jay Gould (1836-1892)
Charles Crocker (1822-1888)	E. H. Harriman (1848-1909)

The rapid financial success of the Central line spurs other corporate entrepreneurs to follow suit.

On January 12, 1883 the Southern Pacific completes its construction along the 32nd Parallel route explored by Parke and Pope in 1854. It connects New Orleans with Los Angeles.

Eight months later, on September 8, 1883, the Northern Pacific celebrates its Completion Ceremony in western Montana, with then President Ulysses Grant in attendance. It traces the 49th Parallel line favored by Isaac Stevens in 1853, and links St. Paul, Minnesota to Portland, Oregon.

Two More Transcontinental Lines Are Completed In 1883

Corporations	Line Runs	Key Owners
Southern Pacific	New Orleans, Louisiana San Antonio, Texas Sierra Blanco, New Mexico El Paso, Texas Tucson, Arizona Yuma, Arizona Los Angeles, California	Timothy Phelps 1865 Sold in 1868 to the “Big Four”
Northern Pacific	Chicago, Illinois Minneapolis, Minnesota Fargo, North Dakota Bismarck, North Dakota Bozeman, Montana Butte, Montana Portland, Oregon	Chartered in 1864 Early tycoons are J. Gregory Smith followed by Jay Cooke

Finally there are the “connector lines” that are crucial to making the entire system efficient. Some, like the Atchison, Topeka & The Santa Fe provide north-south arteries that complement the east-west drift of the transatlantics. Others, like the Chicago, Rock Island & Pacific, act as the central hub linking the west and east coasts.

Major “Connecting Lines” To Transatlantic Railroads

Corporations	Line Runs	Key Owners
Atchison, Topeka & Santa Fe Links Missouri to Southern Pacific RR	Hannibal, Missouri St Joseph, Missouri Atchison, Missouri Topeka, Kansas Pueblo, Colorado Santa Fe, New Mexico Albuquerque, New Mexico El Paso	Cyrus Holliday, first president 1860-63
Chicago, Rock Island & Pacific	Chicago, Illinois Rock Island, Illinois Iowa City, Iowa Omaha, Nebraska	Incorporated in 1847 by civic leaders in Rock Island
Missouri Pacific	St. Louis, Missouri Kansas City, Missouri Topeka, Kansas	Starts in 1851 then Jay Gould takes over 1871
Kansas Pacific	Topeka, Kansas Denver, Colorado	Began in 1855; later a part of the UP line.

Denver Pacific	Denver, Colorado Cheyenne, Wyoming	1867 start; later ties to KP and UP routes
Atlantic & Pacific	Albuquerque, New Mexico “Needles,” Arizona Tehachapi Pass, California San Francisco, California	Opens in 1849 tying St. Louis to Kansas City. Fremont and Charles Fisk involved over time

The development of these great railroad line has a transformative effect on the U.S. economy, with GDP growth jumping up almost 7% per year between 1869 and 1879.

Chapter 175 - The “Gadsden Purchase” Supports A Southern Route For The Pacific Railroad

Time: May 18, 1853

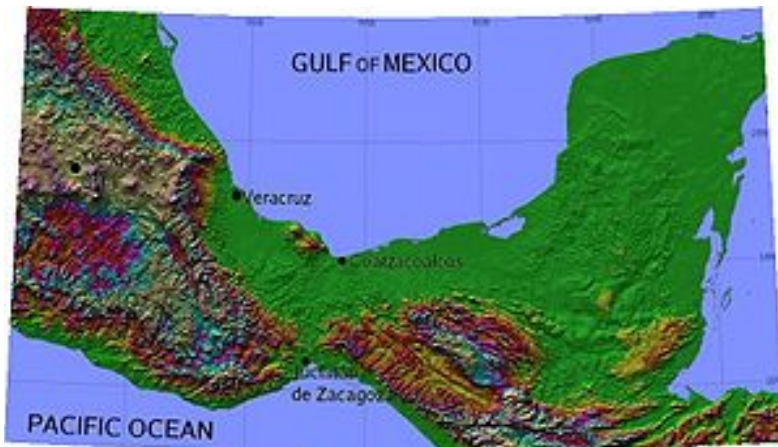
Pierce Focuses His Expansionist Sights On Mexico

Throughout his term, Franklin Pierce will demonstrate that he is an aggressive expansionist at heart.

His attention in this regard is directed first toward Mexico, then Central America and Cuba.

Support for his quests will come from two sources. First are corporations and financial speculators, eager to build new transportation systems and exploit commercial trade from the east to the west coast and Asia. They are joined by plantation owners who feel the prospects dimming for further expansion of slavery in the existing U.S., and are now seeking new territory to the south.

One target for Pierce, like his predecessors, is the 125 mile wide Isthmus of Tehuantepec laying between the Gulf of Mexico and the Pacific Ocean, a natural site for a canal or a railroad or both. The South is especially drawn to this site as a “back-up,” should politics route the transcontinental line to the North. But as of 1853, little progress has been made here despite Mexico having already sold the “rights of way” to US firms.



Map Of The Isthmus Of Tehuantepec To The South Of Veracruz, Mexico

The President's thus turns toward the Mexican provinces along the border laid out in the 1848 Treaty of Guadalupe Hidalgo. Since the end of the war, disputes over land ownership have continued unabated.

A dispute that is particularly heated centers in the Mesilla Valley, just west of El Paso.



Map Of "Disputed Land" From The Mesilla Valley (West Of El Paso) To Yuma, Arizona

Although a survey for the 1848 Treaty clearly designates the valley as Mexican land, the second Territorial Governor of New Mexico, William Lane, suddenly lays claim to it on May 18, 1853. This results in a show of force by Mexican troops and Pierce's dismissal of Lane to quell the tensions.

But both the President and his Secretary of War, Jefferson Davis, have had their eyes on the Mesilla Valley, together with a 550 mile strip of land extending west to Yuma, Arizona. The terrain is both open and flat, an apparently ideal route for a transcontinental railroad across the south.

In early 1853, Pierce names the South Carolinian railroader, James Gadsden, as his Ambassador to Mexico, and sends him there to settle the border disputes and try to purchase additional land.

Time: August 4, 1853

Mexican President Santa Ana Rejects Gadsden's Initial Proposals



Map Of Mexican Province Including The Topmost Four That The U.S. Tries To Buy

The President of Mexico at the time is the peg-legged fifty-eight year old General, Antonio Lopez de Santa Ana, infamous in America for his massacres at The Alamo and Goliad during the 1836 Texas Annexation period, and revenged upon by Generals Jackson and Scott in the 1846-47 War.

Since then, Santa Ana's nation has been in a state of perpetual turmoil, with liberal Catholic clerics battling military-backed conservatives for control of the government. In 1853 the old guard regains power, and on April 20 they invite the General, living in exile in Columbia, to return for his eleventh and final stint as president.

In characteristic fashion, Santa Ana declares himself "Dictator for Life" with the official title of "Hero of the Nation, General of Division, Grand Master of the National and Distinguished Order of Guadalupe, Grand Cross of the Royal and Distinguished Spanish Order of Carlos III, and President of the Mexican Republic."

His term – which will last for 28 months before he is again ousted and exiled – is marked by financial stress for the country, exacerbated by personal corruption of those in power, himself included.

Santa Ana is back as President for only sixteen weeks when Ambassador James Gadsden shows up in Mexico City on August 4, 1853, waving much needed cash in his face for the purchase of land.

While the General needs the money, he regards America with the same level of fear that France was accorded during the age of Napoleon. Rumors of U.S. troops gathering north of La Mesilla abound, and Santa Ana fully anticipates that, in the end, America will have the land by force if not by negotiation.

Santa Ana's deepest concerns are realized when Gadsden makes his opening proposal – proposing to purchase vast chunks of Mexican territory involving its four northernmost provinces. Four options are identified:

- \$50 million to buy the provinces of Coahuila, Chihuahua, Sonora, and Baha California
- \$35 million for the first three, excluding Baha
- \$30 million for all land above 31'47" including Baja
- \$20 million for the above, excluding Baja

Time: December 30, 1853

The “Gadsden Purchase” Is Concluded



Map Showing The 550 Mile Strip Along The New Mexico And Arizona Border Acquired In The Gadsden Purchase

For all his many failings, Santa Ana is first and foremost a nationalist – and he cannot stomach the notion of surrendering full provinces to his long-term enemy in America.

He rejects all four of Gadsden’s offers, dismisses him for the time being, and begins to search for ways out of his dilemma. One radical move involves negotiating a power-sharing alliance with Great Britain, and feelers are sent out on this before being quickly rebuffed.

Gadsden returns to Mexico City four months later, on December 10, with a new offer in hand.

It proposes a payment of \$10 million for the potential railroad site, running from the Mesilla Valley all the way to Yuma, Arizona and encompassing just under 30,000 square miles of land. After twenty more days of bargaining, the two parties reach an agreement.

This deal, known in Mexico as the La Mesilla Treaty and the U.S. as the “Gadsden Purchase,” completes the nearly 70 years westward march known as “Manifest Destiny.”

Expansion Of America’s Land Mass

Year	Land Gained	From	Via	Square Miles	% US
1784	13 colonies to Miss R	Britain	War	888,811	29%
1803	Louisiana Territory	France	Buy	827,192	27
1819	Florida	Spain	Buy	72,003	2
1845	Texas Territories	Mexico	Annex	390,144	13
1846	Oregon Territories	Britain	Buy	285,580	10
1848	Mexico Cession	Mexico	War	529,017	18
1853	Gadsden Purchase	Mexico	Buy	29,640	1
	Total (48 states)			3,022,387	100%

After Mexico receives the \$10 million, rumor has it that Santa Ana pockets \$600,000 for himself to cover his personal losses associated with the American war.

Over three decades will pass before the impetus behind the “Gadsden Purchase” is realized, in the opening of the Southern Pacific Railroad, in 1886. By that time, the South Carolina railroader and diplomat, James Gadsden is long gone, having died in 1858 at age seventy.



Map Showing The Eventual Route Of The Southern Pacific RR Across The Gadsden Purchase Land

Chapter 176 - Filibusterer William Walker Attempts To Create A Republic Of Lower California

Time: 1845-1860

Filibustering Campaigns Seek To Expand America's Borders

While U.S. diplomats are attempting to complete the “Gadsden Purchase” by peaceful means, a hostile take-over of additional Mexican land is under way, led by the notorious adventurer, William Walker.

The template for intrusion unto foreign soil is set by the founding of the Republic of Texas in 1845. This involves a relatively small band of adventurers who achieve “squatter sovereignty” over a poorly defended territory in Mexico, and then attract a sufficient number of additional recruits to fight off all attempts to dislodge them by force. With that accomplished, admission to the United States was sought and eventually granted.

From the Texas success, the notion of heroic foreign conquest enters the imagination of others, driven by the wish for personal fame and wealth, and, perhaps, the chance to “add another star” to the American flag.

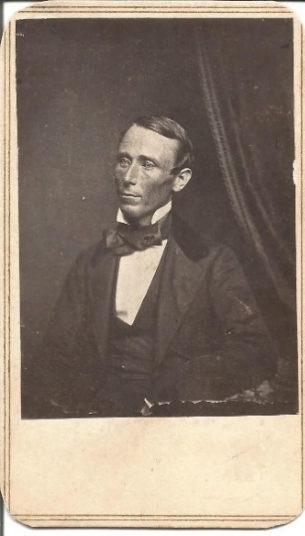
In the lexicon of the time, these individuals become known as “filibusterers,” from the Dutch word “freebooters.”

The Venezuelan born Narciso Lopez earns this title in 1845 when he attempts to conquer Cuba, with support from U.S. Senator John Quitman of Mississippi, an early member of the pro-slavery Southern “fire-eaters.” President Zachary Taylor opposes Lopez’s efforts, and they end when he is garroted to death in Havana.

But the most infamous of all filibusterers is one William Walker, whose exploits between 1853 and 1860 reflect the extent to which “manifest destiny” is embedded in America’s consciousness at the time.

Time: 1824-1860

Sidebar: A Profile Of Filibusterer William Walker



William Walker (1824-1860)

William Walker is a precocious youth who graduates at fourteen from the University of Nashville before traveling to Europe to study medicine in Scotland and Germany. He returns to finish his medical degree at nineteen from the University of Pennsylvania, then practices briefly before moving to New Orleans, where he passes the bar and also takes up journalism, as editor of a newspaper, the *New Orleans Daily Crescent*.

After his purported fiancé dies during a yellow fever outbreak, Walker departs for California during the gold rush, but not before assaulting a fellow writer for articles he finds personally offensive.

In 1849, while working at the *San Francisco Herald*, he earns local fame by criticizing an unpopular district judge for his court record on crime, then serving successfully as his own attorney after the judge throws him in jail.

His naturally combative personality also resurfaces in a series of three duels. Included here is one with the noted lawyer and gunslinger, William Hicks Graham, who calls him out on behalf of a friend and wounds him severely in the thigh before Walker even gets off a shot.

But Walker is undeterred by this or any other setbacks. In 1851 he is only twenty-seven years old and has tested himself across a remarkable string of careers and events. The time has come for him to tackle another new adventure, to fulfill his destiny on a larger stage. By happenstance he is presented with a chance to create his own personal empire in a foreign land.

Many who see Walker from afar are unimpressed by his frail, almost feminine appearance and his quiet manner. Others who are closer up recall his “grey, cold eyes” and a personal magnetism that peg him as “no ordinary person.”

His appearance was anything else than a military chieftain. Below the medium height, and very slim, I should hardly imagine him to weigh over a hundred pounds. His hair light and towy, while his almost white eyebrows and lashes concealed a seemingly pupilless, grey, cold eyes, and his face was a mass of yellow freckles, the whole expression very heavy. His dress was scarcely less remarkable than his person. An insignificant-looking specimen.

But anyone who estimated Mr. Walker by his personal appearance made a great mistake. Extremely taciturn, he would sit for an hour in company without opening his

lips; but once interested he arrested your attention with the first word he uttered, and as he proceeded, you felt convinced that he was no ordinary person.

Walker remains forever a serious man, intent on accomplishing his ambitious goals, not simply a wild-eyed buccaneer. One observer offers this profile:

Throughout the many vicissitudes of his career Walker always remained quiet and imperturbable. Success never turned his head; failure never caused him to despair. He was as calm under fire as ever he was in the sanctum of the editor or the office of the advocate. His manner was always characterized by extreme simplicity... In spite of his lack of affectation Walker was a great stickler for the dignity of his office... He won no man's affection, but every man's respect.

Time: October 1853 - May 1854

William Walker's Attempt To Annex Lower California Ends In Failure



Map Showing Cabo San Lucas, La Paz, Ensenada & The Province of Sonora

The happenstance that brings William Walker into the filibustering arena in 1852 is a visit with travelers just back from the port city of Guaymas, in the Mexican province of Sonora. The picture they paint is of territory ripe for silver prospectors, beset by tribal raids, and largely absent any basic civic authority.

Walker processes this information and decides to approach the provincial Mexican governor in June 1853 with a proposition to establish a settlement there in return for acting as a police force to suppress future tribal uprisings. Despite support from the American ambassador, the Mexicans are fearful of the proposal and quickly send him home.

But Walker exits with a conviction that even a small contingent of armed Americans could easily march into Sonora and grab whatever territory they chose to conquer. With this in mind, he begins to recruit his own army, set to invade in the summer of 1853.

He is described as “insanely confident of success” when his small band of 45 troops depart from San Francisco aboard the brig *Caroline* on October 16, 1853. Given their limited strength, Walker has decided to enter Lower California before moving onward to his main goal, the province of Sonora. The voyage takes him some 1500 miles to the southern tip of the Baha at

Cabo San Lucas. From there he marches overland for 100 miles to the provincial capital of La Paz, where he arrests the local Governor, hauls down the Mexican flag and declares his control over the new “Republic of Lower California.”

A series of proclamations follow, including one that his Civil Code will conform to that in place in the U.S. state of Louisiana – which includes the practice of slavery, banned in 1828 by the Mexican government.

But Walker’s hold on his new “empire” is fragile. On November 9, 1853, gunfire is exchanged for the first time with hostile forces, and he abandons La Paz for a brief return to Cabo San Lucas before a 1,000 mile exodus to Ensenada, near the California border. Once there he is able to arrange for another 230 American recruits, although they arrive without military gear, and are unable to participate in a minor skirmish with Mexican troops on December 29, 1853.

Favorable publicity about his exploits in California papers translates into prospects for even more volunteers. This further emboldens Walker, and on January 18, 1854 – without moving beyond his current garrison -- he declares himself titular head not only of Baja, but also Sonora.

What follows, however, is profoundly disappointing to Walker. His plans to actually govern the new Republic are captured on paper, but he never has the capacity to execute them in practice. His supporters are fighters, not administrators, and their staying power is soon tested. As inaction replaces adventure and basic supplies, even food, begin to run out, signs of mutiny materialize. Walker responds by asking all to swear an oath of loyalty, and those who refuse are told to depart. Soon his total force dwindles to some 130 men, hardly enough to withstand a serious assault, much less govern a territory.

In January 1854, a Mexican warship blocks the port of Ensenada, further threatening his resources -- and a visit from the *USS Portsmouth*, offers Walker no encouragement about aid. Still he perseveres. He moves 50 miles south to San Vicente, arriving there on February 17. He shoots two deserters before setting out on March 20 with his dwindling forces to finally enter the Sonora province he has already claimed. But this journey proves disastrous, with Walker spending three days there before retreating to San Vicente, where he finds his garrison wiped out by the Mexicans.

With no options left, the filibuster comes to an end. Walker and thirty-three remaining stragglers head north to the border and are taken into custody by U.S. authorities at Tia Juana on May 8. They are charged with violating the 1794 Neutrality Act and paroled to San Francisco.

There, after a complicated trial in Federal Court -- with Walker again participating as a defense attorney – a jury amazingly acquits him of all charges, reportedly after only eight minutes of deliberation.

Instead of ending up in prison, William Walker leaves the court a free man and a folk hero. His first attempt at filibustering has failed, but before long he will be back to try it again.

Chapter 177 - Congress Passes The Controversial Kansas-Nebraska Act

Time: December 6, 1853

Pierce Sends His First Annual Message To Congress

With Gadsden primed for a successful visit to Mexico City, the 33rd Congress convenes for its initial session on December 5, 1853. The next day, President Pierce's first annual message is read into the record.

It begins on a somber note, remembering those recently dead (some 8,000 in New Orleans alone) from the mosquito borne viral infection known as yellow fever, and invoking his "abiding sense of dependence upon Him who holds in His hands the destiny of men and of nations."

While he states that foreign affairs have "undergone no essential changes," he calls out several noteworthy issues and events:

- Agreements with Britain over fishing rights in the northeast and boundaries in the northwest.
- Concerns over "unauthorized expeditions" against Cuba and Porto Rico.
- The "justifiable conduct" releasing citizen-to-be Martin Koszta from illegal seizure by Austria.
- Commodore Perry's return to Japan in search of opening trade.
- Attempts currently under way to resolve border disputes between the U.S. and Mexico.
- A full litany of initiatives to open relations and trade across Central and South America.

Likewise on the domestic front, comes a very long and detailed accounting:

- The nation's finances are in good shape, with revenues exceeding the needs of government.
- A plan is forthcoming to reduce tariff rates on many items.
- Surveying has now been completed on almost 10 million acres of new public land.
- Some 335,000 acres of land have been sold recently for a total of \$625,000.
- Both the Navy and the Army "require augmentation."
- The judicial system needs to be modified and enlarged.
- DC will enjoy an improved water supply, a new insane asylum, the Smithsonian Institution
- The Post Office is facing "enormous rates" from railroads to carry mail.

A high priority within his domestic agenda is progress toward a transcontinental railroad. It will provide "the means of communication by which the different parts of our country are to be placed in closer connection for purposes of both defense and commercial intercourse." Work is already under way to:

Ascertain the most practicable and economical route for a railroad from the river Mississippi to the Pacific Ocean.

While oversight on this transcontinental railroad belongs with the government, Pierce assures Congress that the actual construction work and costs will be borne by private corporations and their investors.

The General Government to undertake to administer the affairs of a railroad, a canal, or other similar construction, (but) its connection with a work of this character should be incidental rather than primary.

Taken together, the bulk of Pierce's address paints the picture of an America that is sailing along smoothly in January, 1853, under the leadership of a still new president who has quickly mastered his role and is proceeding with confidence.

But scattered throughout the speech are snippets that suggest a different reality – one filled with “anxious apprehension” and “disturbing questions.” Pierce scrupulously avoids the word “slavery” here, but those in his congressional audience and in the press can easily fill in the blanks.

The year 1850 will be referred to as a period filled with anxious apprehension. A successful war had just terminated. Peace brought with it a vast augmentation of territory. Disturbing questions arose bearing upon the domestic institutions of one portion of the Confederacy and involving the constitutional rights of the States.

Beyond that, comes nothing but “wishful thinking” on his part.

Even though he knows full well that the 1850 Compromise has not resolved the “disturbing questions,” he asserts that “the controversies are passing away” and that a “new league of amity and mutual confidence” has dawned which will result in “domestic peace.”

The controversies which have agitated the country heretofore are passing away with the causes which produced them and the passions which they had awakened; or, if any trace of them remains, it may be reasonably hoped that it will only be perceived in the zealous rivalry of all good citizens to testify their respect for the rights of the States, their devotion to the Union, and their common determination that each one of the States, its institutions, its welfare, and its domestic peace, shall be held alike secure under the sacred aegis of the Constitution.

This new league of amity and of mutual confidence and support into which the people of the Republic have entered happily affords inducement and opportunity for the adoption of a more comprehensive and unembarrassed line of policy and action as to the great material interests of the country, whether regarded in themselves or in connection with the powers of the civilized world.

The outlook, he says, is for a “restored sense of repose and security for the public mind.”

But notwithstanding differences of opinion and sentiment which then existed in relation to details and specific provisions, the acquiescence of distinguished citizens, whose devotion to the Union can never be doubted, has given renewed vigor to our institutions and restored a sense of repose and security to the public mind throughout the Confederacy.

And that “this repose will suffer no shock” during his term in office.

That this repose is to suffer no shock during my official term, if I have power to avert it, those who placed me here may be assured.

Events, however, will soon prove that his assurances are misplaced.

Pierce’s speech ends as it begins, announcing another national loss, the passing of his Vice-President, William King of Alabama, who succumbs to tuberculosis at sixty-seven, only six weeks after being sworn in. He will not be replaced, which means that the President Pro-Tempore of the Senate would succeed Pierce if need be.

Time: January 10, 1854

Douglas Offers His First Bill To Organize The Nebraska Territory



Stephen Douglas (1813-1861)

Now back from his five month long European tour, Stephen Douglas returns to the Senate eager to resume his crusade on behalf of opening the Nebraska Territory.

He finds that the power structure in Congress, like the population, is drifting toward the west. David Atchison of Missouri is chosen as President Pro Tem in the Senate and Kentucky’s Lin Boyd succeeds Howell Cobb as Speaker of the House. The important Committee on Territories in the upper chamber is expanded to six men, still headed by Douglas. He is joined by John Bell of Tennessee, the Texan, Sam Houston, Robert Johnson of Arkansas, Iowa’s George Jones, and the lone easterner and Whig, former Secretary of State, Edward Everett, of Massachusetts. This group will differ from start to finish in regard to the Nebraska Bill.

All six agree, however, that something must be done about the final “Unorganized Territory” remaining from the 1803 Louisiana Purchase. Settlers are moving onto the land; a host of Indian tribes are already there; and the wish for a transcontinental railroad adds to the need to convert the Territory into a State.

Iowa Senator Augustus Dodge takes the lead here by announcing his intent to re-introduce the Nebraska Bill, which was tabled by a vote of 23-17 nine months ago on the final day of the 32nd Congress.

This Bill, like its predecessor, is crafted by Douglas; in fact he claims to have written it all by himself:

It was written by myself at my own house with no man present.

Since 1845, during the Texas Annexation debate, Douglas has witnessed his Bill go down to defeat time after time, and he vows to drive it through in 1854 by his personal force of will – and by “adjustments” aimed at gaining the Southern support he needs.

What continues to trouble the South is the prospect that Nebraska will become the “next California” – one more addition to the Free State majority in the Senate that can threaten the institution of slavery at any moment.

The Free State designation is “assumed” since the entire Nebraska Territory falls above the 36’30” boundary line on slavery, agreed to in the 1820 Missouri Compromise and applicable ever since to all land from the Louisiana Purchase.

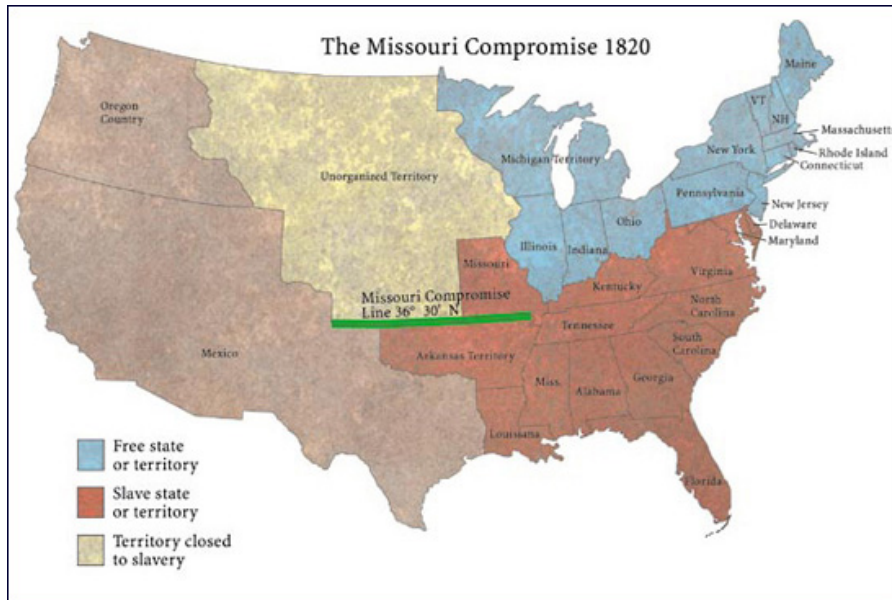
In practical terms, Douglas finds this Free State vs. Slave State controversy to be nonsense when it comes to the Nebraska Territory – given his conviction that its winter climate is inconsistent with operating cotton plantations.

But in political terms he understands its symbolic importance to Southerners, especially since the 36’30” precedent was ignored in declaring all of California—not just that part north of the line -- to be Free.

To gain the support he needs from the South – roughly half of all Senators -- Douglas now knows that the Nebraska outcome must not appear to be another California-like capitulation to those opposing slavery in the west.

Time: 1854

The Strategy Douglas Will Adopt To Secure Southern Support



Map Showing That The Entire "Unorganized/Nebraska Territory" Falls Above The 36'30 Line

To achieve his ends, Douglas continues to tout his "popsov" solution. As he says:

If there is any one principle dearer and more sacred than all others in free governments, it is that which asserts the exclusive right of a free people to form and adopt their own fundamental law, and to manage and regulate their own internal affairs and domestic institutions.

But then he extends his principle to argue that any federally imposed and arbitrary line of demarcation on slavery, like the existing 36'30" precedent, is simply inconsistent with self-government.

I never did like the system of legislation on our part to which a geographical line...should be run to establish institutions for a people...Now, a great new principle of self-government has been substituted for it, (and) I choose to cling to that principle.

Instead all issues related to slavery in the new Territories should be decided in a State Constitution, voted on before applying for admission to the Union. Any Territories favoring a Slave State designation shall have it; and likewise for those on the Free State side.

There is, however, a fatal flaw with Douglas' plan!

While the 1850 Compromise laws apply to the Mexican Cession Territories, they do not apply to Nebraska – a Louisiana Purchase acquisition – which is required to comply with the 36°30' line from the 1820 Missouri Compromise.

Between January 10 and March 4, 1854, the Little Giant will search for non-inflammatory ways to substitute his popular sovereignty principle for the 1820 Missouri Compromise within Nebraska.

He will also hold in his pocket one more card that will add further hope for the South – the creation of a second Territory called Kansas, adjacent to the Slave State of Missouri, and perhaps prone to follow suit in a popular vote on the issue.

Time: January 16, 1854

Questions About The 1820 Missouri Compromise Enter The Debate

Douglas's initial Bill – calling for just the one total Nebraska Territory – is published on January 10, 1854, with an attempt (Section 21) to simply assert that the 1850 Compromise principle of popular sovereignty will be used to settle on Free vs. Slave status.

Section 21: so far as the question of slavery is concerned (the bill will) carry into practical operation...the propositions and principles established by the Compromise of 1850.

This wording draws immediate response from both sides.

The pro-slavery Kentucky Whig, Archibald Dixon, offers an Amendment on January 16, saying that the 1820 Missouri Compromise...

...shall not be construed as to apply to the Territory (in) this act, or to any other Territory of the United States; but that the citizens of the...several Territories shall be at liberty to take and hold their slaves within any of the Territories of the United States...



Robert Winthrop (1809-1894)

The Abolitionist Charles Sumner quickly counters with his own Amendment, denying Dixon's assertion, and stating that nothing in the bill "shall be construed to abrogate or in any way contravene" the Missouri Compromise.

Taken together, these two Amendments place Douglas in the exact box he was hoping to avoid – the need to openly declare that his Bill overturns the 1820 Missouri Compromise agreement for a Territory within the Louisiana Purchase.

They are also a direct challenge to those Northern Democrats who were drawn in 1848 to the Wilmot Proviso and the Free Soil movement prohibiting slavery in the west. Whig Senator Robert Winthrop recognizes this immediately, observing that the bill will “re-inflate Free Soilism and Abolition, which have collapsed all over the country.”

Winthrop’s observation is seconded by other powerful opponents of the bill – Seward, Sumner, Wade, Chase and Giddings – all eager to sow North-South disunity among the Democrats, while finding a new political rallying cry for their floundering Whig Party.

Time: January 21, 1854

Douglas Convinces A Shaken Pierce To Go Along With The Bill

The proposed amendments to Douglas’s original bill also cause hesitation among Pierce, his cabinet, and other Democratic Party leaders.

The President, Secretary of State Marcy and even Lewis Cass, the author of popular sovereignty, all fear the potential political backlash in the North from a repeal of the 1820 Missouri Compromise.

Douglas recognizes their resistance and appeals to Secretary of War, Jefferson Davis, to convene a meeting on January 21, 1854 at the White House to discuss the bill.

The pressure here is all on Franklin Pierce to stand by the 1850 Compromise and the principle of popular sovereignty, while holding his Southern wing in place by offering up Nebraska to an eventual vote on slavery rather than just declaring it a Free State based on the 36’30” line.

To soften concerns about “repealing” the Missouri Compromise, Douglas proposes language that says it is simply being “superseded” by the more recent legislation of 1850. To support this finesse, he also points out that Congress has already rejected extending the 36’30’ line to the west coast, thus demonstrating that it has become an outdated alternative in the west.

It remains unknown as to what extent he shares his other “sweetener” to the South – the possibly forming a Slave State in Kansas – at this critical meeting.

But after much vacillation, the January 21 session ends with Pierce now on board behind the Douglas Bill.

Time: January 23-30, 1854

Douglas Shocks His Colleagues With A New “Kansas-Nebraska Act”

On January 23, a determined Douglas startles the Senate with a new bill he now titles The Kansas-Nebraska Act.

In it he plays his two key cards in search of Southern support:

- A definitive statement saying that the 1850 Compromise “supersedes” the 1820 Missouri Compromise, hence replacing the automatic 36’30” Free State declaration with the outcome of a popular vote; and
- The creation of a second Territory, Kansas, directly west of the Slave State of Missouri, and potentially acting as an “offset” to a Free Nebraska.

But Douglas commits a tactical error in granting a delay to open debate on the bill, and immediately lives to regret it.

It gives his opponents a chance to pounce, and they do so the following day, when several newspapers, including the abolitionist *National Era*, publish a counterattack, *The Appeal of the Independent Democrats In Congress to the People of the United States*.

Contrary to the title, the authors are not members of the Democratic Party – but rather its arch opponents. Ohio Senator Salmon Chase takes the lead, supported by Senator Charles Sumner, Congressman Joshua Giddings and the anti-slavery philanthropist, Gerritt Smith.

The article is cast as a “duty and a public warning:”

It is our duty to warn our constituents, whenever imminent danger menaces the freedom of our institutions or the permanency of the Union.

The Bill is a “gross violation of a sacred pledge” to Freedom, defined in the Constitution and reinforced in the Missouri Compromise. It represents:

An atrocious plot...that will open up all the unorganized Territories to the ingress of slavery (and) exclude... immigrants from the old world and free laborers from our own states, and convert (them) into a dreary region of despotism, inhabited by masters and slaves....Such a plot against humanity and democracy is monstrous and dangerous....

Chase’s *Appeal* is cleverly written to address all who might oppose the Douglas Bill:

- First the same odd combination he tapped into with his 1848 Free Soil Party – those hoping to abolish slavery on moral grounds and those wishing to cleanse the west of all blacks and plantation owners to keep the land to themselves.

- Second, the growing number of recent white immigrants from Europe who regard the slaves as direct competitors for the laboring jobs they need to survive.

The screed goes on to characterize Douglas as a plantation owner himself and a shill for the South, eager to please the Slave Power in exchange for its support in future presidential elections.

Needless to say, Douglas is outraged by Chase's accusations, and he replies on January 30, in a speech laced with his usual obscenities and epithets. He denies flat out that he is the voice of the slaveholders:

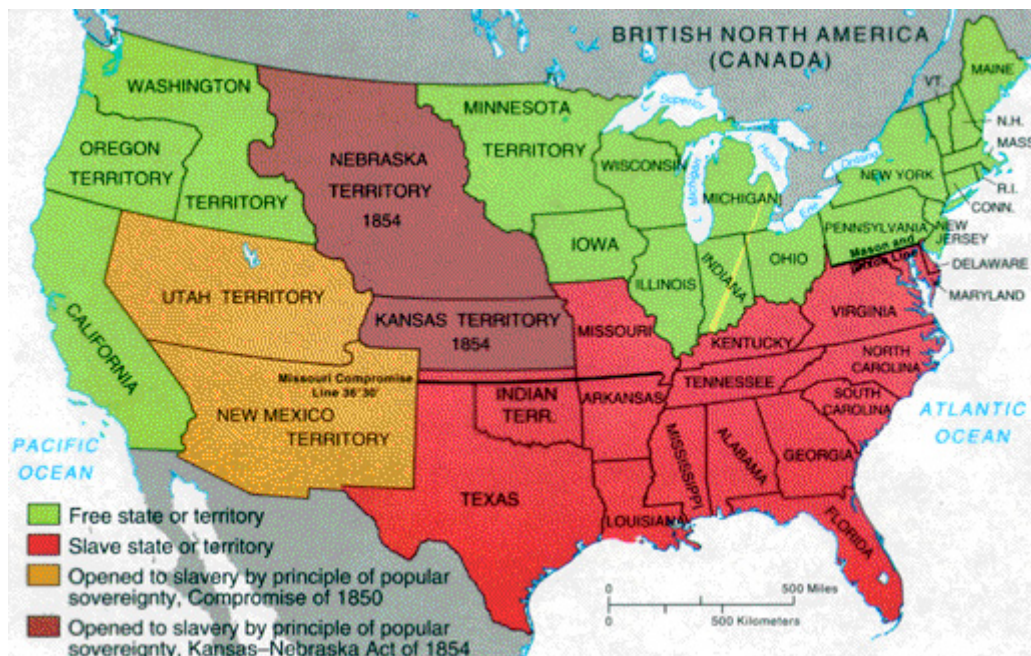
I am not pro-slavery. I think it is a curse beyond computation to both white and black....(but) the integrity of this political Union is worth more to humanity than the whole black race.

And the "integrity of the Union" resides for Douglas in the simple admonishment: "let the people decide."

He dismisses those who oppose the Kansas-Nebraska Act as "abolition confederates...plotting against the cause of free government."

Time: May 30, 1854

The Kansas-Nebraska Act Finally Becomes Law



The Two-State Solution Of The 1854 Kansas-Nebraska Act

Douglas's tirade on January 30 is by no means enough to silence the debate in the Senate, which continues throughout February.

Opponents hope to delay a vote, generate a public outcry against the measure and continue to vilify the Slave Power for "pulling Douglas with a string," as the Democrat-turned-Free Soiler, Francis Preston Blair, puts it.

Secretary of State Marcy remains concerned by the political effects in New York of repealing the Missouri Compromise; John Bell and Sam Houston press on about the impact on the fate of the tribes; others begin to challenge the details and implications of popular sovereignty.

Georgia Senator Robert Toombs demands reassurance that slaves will be allowed into the new Territories during the time before a State Constitution is written and a popular vote taken – the notion being that once planted, the practice would be much harder to dislodge.

Ever the legal scholar, Chase questions whether the U.S. Constitution grants new Territories the right to decide "on their own" about slavery. After all, the original contract was the product of all the states acting together, not independently.

As times passes, the level of sectional acrimony intensifies. Along with Chase, Henry Seward becomes the target of Southern barbs, and later observes that:

It was a painful and disgraceful scene. Southern men were imperious, and Northern men abetted them. Personalities disgraced the advocates of the bill. There is no longer any dignity or honor in serving our country in the Senate of the United States.

On March 3, 1854, Douglas schedules a vote on the bill – to be preceded by one last round of debate. This begins inauspiciously around noon, when Democrat John Bell stands in opposition. Others follow, and it is not until 11:30pm that the Little Giant rises in front of a packed gallery. He speaks for three straight hours, reiterating the merits of a popular sovereignty solution, while mixing in personal invective aimed at Chase, Seward and Sumner in particular.

At 5am, after seventeen hours on the floor, the Bill passes by a margin of 37-14, with all Democrats – except Bell and Sam Houston – voting aye, while the Whigs divide along North (nay) vs. South (aye) lines. Seward recognizes the implications for his party immediately: "we no longer have any bond to Southern Whigs."

Senate Vote On 1854 Kansas-Nebraska Bill

Democrats	Ayes	Nays	Total
North	14	0	14
South	15	2	17
Total	29	2	31
Whigs			
North	0	12	12

South	8	0	8
Total	8	12	20
Grand Total	37	14	51

Still Douglas is not yet all the way certain of victory – since the House, unlike the Senate is heavily skewed (130 to 75) toward the North.

To shepherd the measure, he again turns to his Illinois colleague, William A. Richardson, who was able to secure a 107-49 win for his earlier bill in February, 1853. With help from ex-Whig, now Unionist, Alexander Stephens, Richardson succeeds again in the House.

On May 22, 1854 the Kansas-Nebraska Act passes by a 113-93 margin.

House Vote On 1854 Kansas-Nebraska Bill

Democrats	Ayes	Nays	Total
North	44	42	86
South	57	2	59
Total	101	44	145
Whigs			
North	0	42	42
South	12	7	19
Total	12	49	61
Grand Total	113	93	206

Pierce signs on May 30 and the bill becomes the law of the land.

Chapter 178 - A Nascent “Republic Party” Is Formed To Oppose The Kansas-Nebraska Act

Time: Summer 1854

Various Anti-Democrat Factions See A Potential Winning Political Strategy

Ever since the 1852 death of Henry Clay and the decisive loss by Winfield Scott in the presidential election, despairing Whig politicians have been searching for a strategy to defeat the Democrats.

The obvious North-South cracks among the Democrats looks like an opening, but the question becomes how best to exploit them? For some the answer lies in trying to invent a new party capable of bringing together a diverse range of Northerners who oppose the further expansion of slavery in America.

Included here might be the “Wilmot Proviso” men, the “Free Soilers,” the radical Abolitionists, those angered by local bounty hunters searching for run-aways, others who feel disdainful toward the southern culture or tired of its disproportionate control in Washington.

The 1854 Kansas-Nebraska Act may provide the necessary opening.

Public antipathy toward the bill is immediate and strong across both the North and the West. First because it reneges on the 1820 Missouri Compromise and re-opens the threat of *nationalizing* slavery. Second because, like the 1850 Fugitive Slave Act, it appears to be another capitulation by the Democrats to bullying demands made by the southern planter elites.

The initial political response lies in the formation of various coalitions which march behind the banner of repealing the 1854 bill.

One such coalition simply calls itself the “Opposition Party” and consists of two Whig factions. One are the anti-slavery men, ranging from moderates like Henry Seward and Edward Bates, to outright abolitionists such as Charles Sumner, Salmon Chase and Cassius Clay. The other are the Whig Unionists who fear that potential in the Kansas Territory will end in civil war. Included in this latter group are both northerners (Edward Everett, Robert Winthrop) and some southerners, notably John J. Crittenden (Kentucky), John Bell (Tennessee), and William Graham (North Carolina).

The other coalition, known as the “Anti-Nebraska Party,” will include Northern Democrats who favored the Wilmot Proviso banning the expansion of slavery and bolted to the Free Soil Party in 1848 to back Van Buren over Cass. Among this group are formidable politicians such as Gideon Welles of Connecticut and Hannibal Hamlin of Maine.

The normally astute Stephen Douglas is both surprised and alarmed by these negative reactions.

In his mind, the notion of applying the principle of popular sovereignty, rather than a fixed line, in Kansas, seems like a small concession to the South in exchange for opening the Territory and supporting his route for the transcontinental railroad through Chicago.

By the summer of 1854, however, the true cost of the bargain begins to dawn on him, and on Franklin Pierce.

For Douglas, the bill will be the end of his presidential aspiration; for Pierce, it is the realization of his greatest fear, a possible North-South schism within his own party.

Time: Summer 1854

Opponents Of The “Slave Power” Organize The Republican Party

Another group opposing the spread of slavery is more grass roots in character and calls itself the Republican Party.

The first officially recorded gathering here takes place in Ripon, Wisconsin, on March 30, 1854, with some 30 locals in attendance at what becomes known as The Little White Schoolhouse. The meeting is called by a lawyer, one Alvan Bovay, recently arrived in Ripon from New York City. According to tradition, the men “walked in as Whigs and Free-Soilers and left as Republicans.”

Other independent meetings follow, one in Bangor, Maine, then in Friendship, New York, and Washington, DC.

A more sizable and organized convention follows, this time in Jackson, Michigan from July 6-13, 1854.

The prime mover here is Charles V. DeLand, editor of Jackson’s *American Citizen* paper, who invites all who oppose the “slave power” to attend:

In view, therefore, of the recent action of Congress upon this subject (the violation of the Missouri Compromise) and the evident designs of the slave power to attempt still further aggressions upon freedom, we invite our fellow citizens without reference to former political associations, who think that the time has arrived for a union at the North to protect liberty from being overthrown and downtrodden, to assemble in mass convention on Thursday, the 6th day of July, next, at 1 o'clock p.m. at Jackson, there to take such measures as shall be thought best to concentrate the popular sentiment of this state against the encroachment of slave power.

When some 3,000 people show up, the convention is forced outside to a 40-acre grove, where the proceedings are completed “under the oaks.” The primary task lies in hammering out a tentative platform. Ten of the thirteen planks signal opposition to “the Slave Power’s still further

aggressions upon freedom.” While not embracing abolition, the delegates are unequivocal in condemning slavery on moral grounds.

We believe that slavery is a violation of the rights of man – as a man – we vow at whatever expense...to oppose...by all means...all attempts, direct and indirect, to extend slavery in the country...or to allow new slave states into the union.

Ironically this position mirrors that taken by Thomas Jefferson in his original draft of the Land Ordinance of 1784.

After the year 1800 there shall be neither slavery nor involuntary servitude in any (future state).

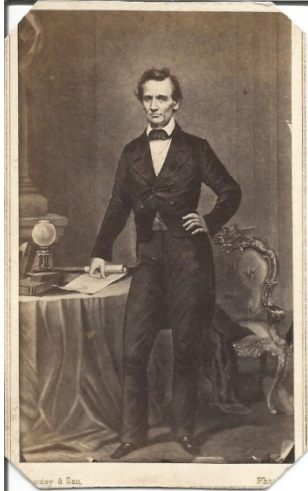
Claims to giving the new party its name are widespread. Most trace the idea back to Thomas Jefferson’s Democratic-Republican Party which dominated the political scene during his time. But the acknowledged popularizer of the “Republican Party” moniker is Horace Greeley, editor of the *New York Tribune*, and soon to be a prominent member of the movement on the national stage.

New energy is pumped into the movement some three months after the Jackson convention adjourns. Its source is a retired Whig from Illinois named Abraham Lincoln who returns to politics to protest the Kansas-Nebraska Bill.

Chapter 179 - Abraham Lincoln Re-emerges On The Political Stage

Date: October 3, 1854

Lincoln And Douglas Debate The K-N Bill In Springfield



Abraham Lincoln (1809-1865)

Since exiting his single term in the U.S. House in March 1849 convinced that his political career is over, Abraham Lincoln has returned to his home in Springfield, Illinois, to resume his law practice, and help raise his growing family, which, by 1854 includes his three surviving sons: Robert, Tad and Willie.

In April 1854, he is again off “riding the circuit” for ten solid weeks, arguing cases in seven towns covering a route of some 400 miles.

Only this time his routine is disrupted by news of uprisings across the state aimed at his old rival, Stephen A. Douglas, for passage in May of the Kansas-Nebraska Act.

The lawyer in Lincoln sees the act as an egregious violation of the 1820 Missouri Compromise, prohibiting slavery above the 36°30’ line in all Louisiana Purchase territory. Beyond that, the humanitarian in Lincoln regards any further spread of slavery as a moral stain on the nation. As he says repeatedly in his life:

If slavery is not wrong, nothing is wrong.

At first his response is cautious, and targeted at politics in his home state. His loyalty remains to what’s left of the Whig Party, and his first stump speech in August is on behalf of re-electing Richard Yates to a second House term in a district that leans pro-slavery. Reluctantly he himself agrees to run for another term in the state congress from Sangamon County, but with an eye to replacing his Democratic rival, Senator James Shields, in the upcoming election.

Lincoln is already campaigning across the state in the Fall, when Stephen Douglas initiates his own speaking tour in Illinois to try to deflect mounting Northern opposition to his Nebraska legislation.



Stephen Douglas (1813-1861)

Lincoln has known Douglas since their first meeting in Springfield in 1834, and they have been opponents ever since. In 1838 Lincoln stumps for his law partner, John Stuart, in his race against Douglas for a U.S. House seat. They share a platform in the 1840 presidential race, with Lincoln backing the Whig, Harrison, and Douglas, the Democrat, Van Buren. Rumors also have it that Douglas has been a rival for the hand of Mary Todd in 1842 before she marries Lincoln.

Furthermore, Lincoln does not like Douglas. He refers to him as “the least man I ever saw” – a man who “will tell a lie to ten thousand people one day, even though he knows he may have to deny it to five thousand the next.”

Also a note of envy seems at play here, with Lincoln having watched Douglas ascend to national prominence in Washington, while his own destiny seems confined to legal success within the state of Illinois.

But controversy over the 1854 Kansas-Nebraska Act now gives Lincoln another shot at Douglas after he agrees to deliver three public speeches back in Illinois in September and October, sensing that his home state is quite divided on his bill.

The result is a head-on debate between the two men on October 3, 1854 in Springfield -- with the lanky, six foot three inch Lincoln speaking for three hours, and the stocky Douglas, a foot shorter, offering a two hour rebuttal.

Lincoln’s address is noted for his contention that no amount of pleading on behalf of popular sovereignty could possibly justify an outcome where “the monstrous injustice of slavery” was affirmed. The issue was one of moral right and wrong, not one of political process.

Several of the Springfield attendees are impressed by Lincoln’s arguments, and his name is mentioned by those seeking to form an official Republican Party in Illinois. Among them is Owen Lovejoy, brother of the abolitionist Elijah Lovejoy, whose murder in Alton, Illinois in 1837, engages both Lincoln and John Brown in the issues surrounding slavery.

Opponents of the Kansas-Nebraska Bill immediately encourage Lincoln to follow his rival’s itinerary and continue the exchanges. While he agrees, Douglas decides that he has had enough for the moment, after telling friends that Lincoln is the “most difficult and dangerous challenger that I have ever met.”

Time: October 16, 1854

Lincoln’s “Peoria Speech” Thrusts Him Into The Political Spotlight

With Douglas declining any further debates, Lincoln goes on to deliver a three-hour speech in Peoria, Illinois, that will alter his destiny.

In it he reprises the history of slavery in America, and, with precise lawyerly logic, lays out the case against the repeal of the 1820 Missouri Compromise. It begins:

The repeal of the Missouri Compromise, and the propriety of its restoration constitute the subject of what I am about to say. It was a law passed on the sixth day of March, 1820, providing that Missouri might come into the Union with slavery, but that in all the remaining part of the territory purchased from France, slavery should never be permitted.

This 1820 law reflected the wishes of the founding fathers, like Jefferson.

The policy of prohibiting slavery in the new territory originated with Jefferson, the author of the Declaration of Independence.

And as recently as 1849, Douglas publicly applauded it.

In 1849, our distinguished Senator, in a public address, held that: The Missouri Compromise has been in practical operation for a quarter of a century, and has received the approbation of men of all parties in every section of the Union.

Then came the acquisition of new territory from Mexico, and the nation crafted the 1850 Compromise to establish rules governing slavery in the far west.

The Union, as in 1820, was thought to be in danger; and devotion to the Union rightfully inclined men to yield somewhat in points where nothing else could have so inclined them.

Preceding the Presidential election of 1852, each of the great political parties met in convention and adopted resolutions endorsing the compromise of 1850; as a finality – a final settlement of all slavery agitation. And the legislature in Illinois's endorsed it.

Douglas offered his original Nebraska bill, but then altered it to argue that the 1850 rules set for the far western land should also apply to the 1803 Louisiana Purchase land.

About a month after the introduction of the 1854 Nebraska bill, it is modified to make two territories instead of one; to declare the Missouri Compromise inoperative and void; to allow people who settle establish slavery or exclude it as they may see fit.

In effect, this revised 1854 Kansas-Nebraska law says that the settled law in the 1820 Missouri Compromise was all a great mistake.

But now congress declares this ought never to have been; and the like of it must never be again. The sacred right of self-government is grossly violated by it.

Lincoln disagrees, the great mistake would be to allow the monstrous injustice of slavery to spread any further.

I can not but hate letting slavery into Kansas and Nebraska – and allowing it to spread to every other part of the wide world where men can take it.

I hate it because of the monstrous injustice of slavery itself. I hate it because it deprives our republican example of its just influence in the world – enables the enemies of free institutions, with plausibility, to taunt us as hypocrites --and especially because it forces so many really good men amongst ourselves into an open war with the very fundamental principles of civil liberty – criticizing the Declaration of Independence, and insisting that there is no right principle of action but self-interest.

He makes it clear that his cause is not to outlaw slavery in the old South, but to oppose its extension to the west.

*And as this subject is part of the larger question of domestic slavery, I wish to make and keep the distinction between the **existing** institution, and the **extension** of it, so clear that no honest man can misunderstand me.*

Slavery is a national problem and should not be blamed on the southern people.

Let me say I think I have no prejudice against the southern people. When they tell us they are no more responsible for the origin of slavery than we; I acknowledge the fact. If slavery did not now exist amongst them, they would not introduce it.

If he could, he would ship the slaves back to their homeland, but this is not feasible.

When it is said that the institution is very is very difficult to get rid of in any satisfactory way, I understand the saying. My first impulse would be to free all the slaves and then send them to Liberia – to their own native land.

Nor does he believe that the nation is ready for the abolitionist's solution, freeing all the slaves overnight and assimilating them into white society.

What next? Free them, and make them politically and socially our equals? My own feelings will not admit this; and if mine would, we well know that those of the great mass of white people will not.

Lincoln admits to the difficulty of finding a solution, other than gradual emancipation.

If all earthly power were given me, I should not know what to do, as to the existing institution. It does seem to me that systems of gradual emancipation might be adopted; but for their tardiness in this, I will not undertake to judge our brethren of the south.

And the facts are that many former slaves have been gradually emancipated, at great economic sacrifice by their former owners, and on the simple principle that, in their hearts, men know that a slave is not the equivalent of a horse or a cow.

And yet again, there are in the United States 433,643 free blacks. At \$500 per head they are worth over two hundred million dollars. How comes this vast amount of property to be running about without owners? We do not see free horses or free cattle running free. How is this? Something has operated on their white owners, inducing them, at vast pecuniary sacrifices, to liberate them. What is this something? Is there any mistaking it? In all cases it is your sense of justice, and human sympathy, telling you, that he poor negro has some natural right to himself – that those who deny it, and make merchandise of him, deserve kickings, contempt and death.

Despite the obvious injustice of slavery, he asks is Douglas isn't right in arguing that people in the Kansas and Nebraska should have the right to decide for themselves whether to accept or reject it? Only, he says, if one believes that the negro is not a man but a beast.

But one great argument in support of repeal of the Missouri Compromise is still to come. That argument is "the sacred right of self-government." The doctrine of self-government is right – absolutely and eternally right – but it has no just application as here attempted. It depends on whether a negro is or is not a man. If the negro is a man, is it not a total destruction of self-government to say that he shall not govern himself? When the white man governs himself, and also governs another man, that is more that self-government – that is despotism.

If the negro is a man, why then my ancient faith teaches me that "all men are created equal;" and that there can be no moral right in connection with one man making a slave of another.

So, can it be shown that the negro a man? Here Lincoln refers to the Constitution, where southerners themselves have argued that slaves are persons, who should be counted as 3/5th of a white man.

In the control of the government, each State has a number of Representatives in proportion to its number of people, and for this purpose five slaves are counted as being equal to three whites.

Lincoln next addresses what he calls a “lullaby” argument from Douglas, one saying that the weather in the new territory will never allow cotton plantations.

As to climate, a glance at the map shows there are five slave states – Delaware, Maryland, Virginia, Kentucky and Missouri – and also the District of Columbia, all north of the Missouri compromise line.

He attacks the bill’s gross lack of clarity about “when and how” the slavery question will be resolved.

The people are to decide the question for themselves; but when are they to decide; or how they are to decide; or whether the question is to be the subject to an indefinite succession of new trials, the law does not say. Is it to be settled by the first dozen settlers who arrive there, or is it to wait the arrival of a hundred? Is it to be decided by a vote of the people or a vote of the legislature? To these questions, the law gives no answer.

And he properly foresees an outcome whereby a minority of settlers bring slaves into the territory and, once there, a subsequent majority in opposition cannot dislodge them.

The bill enables the first few to deprive the succeeding many. The first few may get slavery in, and the subsequent many cannot easily get it out. How common is the remark now in the slave states – “if we were only clear of our slaves, how much better it would be for us.

The outcome in Nebraska is important to everyone in the Union.

The whole nation is interested that the best use shall be made of these territories. We want them for the homes of free white people. This they cannot be, to any considerable extent, if slavery shall be implanted within them.

As he nears the end, Lincoln reiterates his plea – to resist the repeal of the Missouri Compromise and, in so doing, to restore “the noblest political system the world ever saw.”

Fellow countrymen – Americans south as well as north, shall we make no effort to arrest this? In our greedy chase to make profit of the negro, let us beware, lest we cancel and tear to pieces even the white man’s charter of freedom.

Our republican robe is soiled. Let us repurify it. Let us turn and wash it white, in the spirit, if not the blood, of the Revolution. Let us turn slavery from its claims of moral right. Let us return it to the position our fathers gave it. Let us readopt the Declaration of Independence. Let north and south, let all Americans, let all lovers of liberty everywhere join in the great and good work

If we do this, we shall not only have save the Union, but we shall have so saved it, as to make and to keep it forever worthy of the saving.

Political observers recognize in this Peoria speech Lincoln’s absolute mastery of the facts surrounding the national controversy stirred by the 1854 Kansas-Nebraska Bill.

He emerges as a clear opponent of slavery – but one who recognizes the complexities of the issues, who seeks moderate, not abolitionist, solutions that do not diminish the accepted superior status of white men, and who seeks compromises with the South to hold the Union together.

Finally, and importantly, Lincoln emerges as a western man who can stand toe to toe with Douglas, the powerhouse of the Democratic Party.

A man who someday just might be presidential timber.

Sidebar: Implications Of The Kansas-Nebraska Act

To Douglas and his supporters, the 1854 Kansas-Nebraska Act appears to offer a rational compromise on the future of slavery, and one that is based on the essence of democracy itself, namely, a popular vote.

As such they hope that it will resolve the kind of North-South antagonism evident in the 1789 Northwest Ordinance debates (drawing the Ohio River boundary), the “fire-bell” alert with the 1820 Missouri Compromise (the 36’30’ demarcation), and the contentious 1850 Compromise.

But this is not to be the case.

One reason being that the absolute legal certainty of a line drawn on a map has now been replaced by the open-ended uncertainty associated with a popular vote.

As a shrewd student of human behavior, Douglas fears this uncertainty all along. But he is left with no choice once the original proposal to extend the 36’30” line to the west coast is rejected, and all of California, even that below the line, is declared Free. His next best option then becomes popular sovereignty.

More surprising to Douglas is the sharply heightened level of intensity -- for and against the extension of slavery -- that has developed in the North versus the South.

For the powerful Southern planters, expansion has become an economic imperative, the only path to sustained sales growth of their two precious commodities – white cotton and black slaves. If the requisite territory cannot be found by driving further into Mexico, Central America and the Caribbean Islands, then the popular votes from Kansas and the remainder of the west must go in favor of the Slave State outcome.

On the other hand, those in the North are dead set against giving in to this Southern demand, and they now enjoy enough political and economic power to assert their resistance. Their motivations for opposing the expansion of slavery are diverse and often in conflict with each other.

Relatively few Northerners are outright abolitionists, eager to free all slaves and integrate them into American society. But the combined effects of the local Anti-Slavery Societies, the sight of bounty hunters chasing runaways in their streets, popular novels like *Uncle Tom’s Cabin* and some amount of contact with assimilated “free blacks” has given rise to a generally increased level of empathy.

Still the majority view in the North and West is much more self-serving. It is typically racist in character, with the conviction that blacks are a different species and certainly inferior to whites. Their harsh treatment as slaves also makes them prone to violent revenge, as evident in the well-publicized uprisings. Furthermore, their presence on plantations in the new Territories represents an economic threat to white settlers competing for land and crop sales -- not to mention the “personal humiliation” of honest labor being depreciated by slave labor.

Regardless of these differing motivations, most Northerners tend to agree on one thing – there should be no room in the new Territories for slaves.

Out of these directly opposite North-South convictions will come the collapse of the Union.

Chapter 180 - Northerners Again Resist The Fugitive Slave Act

Time: June 6, 1854

The Capture Of Runaway Slave Anthony Burns Prompts More Anti-Slavery Violence In Boston

As the battles over the Nebraska Bills are being fought out in Congress, violent resistance to the Fugitive Slave Act again flares up in the city of Boston.

It is touched off by the arrest of a nineteen year old slave, Anthony Burns, who escapes on March 24 from his owner, Colonel Charles F. Suttle, of Alexandria, Virginia. Burns is the youngest of thirteen children, several of whom have been sold off previously to cover debts. He is semi-literate, and employed at the time of his capture by one Coffin Pitt, who runs a clothing shop.



Thomas Higginson (1823-1911)

Once word of the arrest circulates, the Boston Vigilance Committee rallies to Burn's defense. He is immediately represented in court by Richard Dana, Jr. and the black lawyer, Robert Morris, both of whom defended Shadrach Minkins in 1851, before an angry mob engineered his escape.

After U.S. Commissioner and Judge Edward Loring grants a delay in Burn's trial, two abolitionist groups agree to meet on Friday, May 26, to discuss strategies to gain his release. A crowd estimated at 2,000 people are together at Faneuil Hall when word reaches them that the other contingent has left Tremont Temple and is already marching on the city jail. It is led by the black merchant, Lewis Hayden, who helped William and Ellen Craft flee in 1850, and joined by a thirty year-old white Unitarian minister, Thomas Higginson, ready to embrace violence in the name of freeing the slaves.

But this time the authorities, under Mayor Jerome V. C. Smith, are ready to withstand the mob, and they do so after a pitched battle. Deputy U.S. Marshal James Batchelder is stabbed to death in the action, while several others are wounded. The police arrest thirteen attackers, among them Wendell Phillips, son of the first Mayor of Boston and a member of Lloyd Garrison's inner circle.

With tensions rising, Judge Loring opens the trial of Anthony Burns on Saturday, May 27. It ends six days later when the worn-down runaway acknowledges that he has in fact escaped from Colonel Suttle. Familiar pleas from Dana and Morris that the Fugitive Slave Law is unconstitutional follow the admission, but to no avail. Judge Loring orders that Burns be handed over to Suttle.

To insure that the order is carried out, Mayor Smith enlists two companies of the Massachusetts Militia and calls upon the President to add U.S. troops. Pierce complies immediately, sending a total of twenty-two companies of cavalry, infantry and artillerymen to show the world that the Fugitive Slave Act is being upheld.

The presence of these troops – some 1,000 strong – further incites the Boston public, and many thousands turn out on Saturday, June 3, 1854, to protest as Burns is paraded from the jail to the Long Wharf. Storefronts along the way are draped in black crepe; the U.S. flag is flown upside down; a coffin with the word “Liberty” appears and shouts of “Kidnapers” ring out. Still the overwhelming display of military force is sufficient to avoid physical attacks, and Burns is soon put aboard a ship taking him back to Alexandria.

The story does not, however, end there. Newspaper coverage spreads Burn’s fate across the nation, and anti-slavery rallies follow on. The most dramatic belongs to Lloyd Garrison who, at a Fourth of Celebration in the town of Framingham, burns copies of Loring’s decision, the 1850 Fugitive Slave Law, and, finally, the U.S. Constitution itself – calling the latter “a covenant with death and an agreement with hell.”

The publicity is sufficient to raise some \$1200 from anti-slavery supporters to secure Burn’s release, but Suttle refuses the offer. After several months, he sells Burns to a planter named David McDaniel for \$905, and then McDaniel turns a fast profit by accepting the offer made by Boston’s black Baptist minister, Leonard Grimes.

A free man, Anthony Burns uses proceeds from a book on his exploits to attend Oberlin College for two years before heading to Upper Canada as a preacher in a Zion Baptist Church. While there he contracts tuberculosis and dies at only twenty-eight years of age.

His death marks the end of the famous runaway slave incidents that have marked Boston as the center of America’s abolitionist movement.

Time: July 19, 1854

The Wisconsin Supreme Court Rules Against The Fugitive Slave Act In The Sherman Booth Case

Far to the west of Boston, in the state of Wisconsin, another challenge to the Fugitive Slave Act is playing out.

Once again, the impetus is the intrusive arrest of a runaway, one Joshua Glover of St. Louis, Missouri, who is seized at his dwelling in Racine, Wisconsin on March 10, 1854. The captors include his owner, Bennami Garland, a U.S. Marshall and several associates. Glover is tossed into a wagon and transported to a jail cell in Milwaukee.

Word of Glover’s plight reaches the abolitionist, Sherman Booth, who vows to resist the capture.

The forty-two year old Booth is a native of western New York State, where he is exposed as a youth to the religious revival movements of the 1830's. He is soon an abolitionist, offering his support to the Africans jailed in the 1839 Amistad affair, and helping to organize the Liberty Party, even before graduating from Yale University in 1841.

Booth is a newspaperman by trade and a political strategist, in the tradition of Thurlow Weed. His first abolitionist publication, the *Christian Freeman* morphs into the *Wisconsin Freeman*, after he moves to the state in 1848, soon after its admittance to the Union. What follows is an intense search for a political party that corresponds with his beliefs. He momentarily renames his paper the *Wisconsin Free Democrat*, then joins the Free Soil movement before settling on his own platform, which eventually influences the founding the Wisconsin Republican Party.

But in March 1854, his focus is on freeing Joshua Glover. To do so, he calls upon opponents of slavery to gather at 2PM on March 11 and march together to the courthouse in Milwaukee. Several thousand turn out, and they proceed to ignore Booth's admonition to protest peacefully and not break any laws. The result is mob action reminiscent of the Boston riots, with Glover quickly seized and spirited away to freedom, first in Waukesha and then on to Canada. He lives there until age eighty-one, working as a carpenter, marrying twice and owning his own land and cabin.

Booth himself does not participate in the jailbreak, but does praise it in his newspaper editorials, saying that the action puts an end to enforcing the Fugitive Slave Act in Wisconsin.

Along with his actions on March 11, his brazen reportage makes him the target of federal efforts to uphold the law. When he is arrested on charges of obstruction of justice, it marks the beginning of some nineteen separate trials that will find him in and out of court and jail over a six year period.

One early turning point in his legal battles comes on July 19, 1854.

After a release on bail, Booth voluntarily returns to prison to secure a writ of habeas corpus, a legal maneuver that brings him before a judge and forces his captor to "make their case" against him. The hearing occurs before the Wisconsin Supreme Court – which rules in Booth's favor. The decision, written by Associate Justice Abram D. Smith, takes on national importance by declaring the Fugitive Slave Law unconstitutional and labeling it "a wicked and cruel enactment."

This pronouncement, of course, cannot be left to stand with President Pierce and the South – and, two days later, Booth is re-arrested by federal marshals and returned to jail.

In January 1855 he is tried and convicted in a U.S. District Court. On February 3, the Wisconsin Supreme Court again sets him free. In turn, the U.S. Supreme Court agrees to hear the case in May, but action is stalled by lack of cooperation from the Wisconsin judiciary. In July 1855, Booth loses a lawsuit brought by the slave-owner Garland, and is forced to pay a \$1,000 fine.

This back and forth theater continues until March 1860, when the U.S. Supreme Court under Justice Taney finally rules in *Abelman v Booth*. The decision is unanimous and no surprise to constitutional lawyers. It simply reaffirms the principle that federal law trumps state law – and that the Wisconsin Supreme Court had no authority to invoke habeas corpus in a U.S. court action.

A bankrupt Booth is now forced to sell his newspaper and is returned to prison in Milwaukee.



But Booth's supporters across Wisconsin remain intent on opposing both his sentence and the legitimacy of the Fugitive Slave Act. In Congress, their junior Senator, James Doolittle, tells his colleagues that "an unconstitutional law is no law" and that it was the duty of local judges "to protect the rights and liberties of citizens of the state."

On July 4, 1860, a crowd gathers outside Booth's second story cell in the Customs House to hear the prisoner deliver an address where he casts himself as a martyr to a just cause and urges the crowd to support Lincoln and the Republicans in the November election. Three weeks later, on August 1, an armed rescue party enters the facility and frees Booth. According to newspaper reports, he walks to his brother-in-law's house where he is applauded by a crowd before being escorted to a train taking him to Waupun.

Senator James Rood Doolittle (1815-1897)

His freedom lasts for two months before he is arrested on October 8. This time remains in jail under heavy guard for seventeen months, until President James Buchanan finally decides to release him two days before he leaves office. Booth lives another forty-three years, working as a journalist and supporting his political and reform causes to the end.

Chapter 181 - The Race Is On To Decide The “Slavery Question” In Kansas

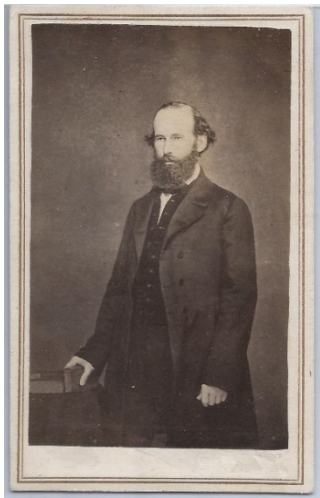
Time: Summer 1854

Anti-Slavery Emigres From Massachusetts Arrive In Kansas

As soon as it appears that Kansas will become a state, one Eli Thayer of Worcester, Massachusetts, formulates a plan to transport settlers there in order to open new towns, built on the virtues of free labor and capitalism.

Thayer’s roots are humble, but he makes his way through the Manual Labor School in Worcester and then Brown University, before opening the Oread Institute, a school for young women in 1848.

He is thirty-five years old in 1854 when he conjures his vision for developing Kansas, despite never visiting until some 23 years later. At first he sees the venture as a path to profiting on land speculation, and sets up a joint-stock corporation, with capital provided by businessmen like Alexander Bullock. But others who offer support – especially the wealthy anti-slavery philanthropist, Amos A. Lawrence and Unitarian minister, Edward Everett Hale – frown on the profit motive and convince Thayer to recast the venture as a “benevolent” work, under the name of the New England Emigrant Aid Society.



Eli Thayer (1819-1899)

Thayer works tirelessly on the project, making some 700 appearances across the east, touting the society, signing up prospective travelers and raising money. He also publicizes it via advertisements in Greeley’s *New York Tribune* and William Cullen Bryant’s *New York Evening Post*.

His slogan becomes “Sawmills and Liberty,” based on the promise of providing settlers not only with temporary housing, but also with steam-powered equipment they will need to run their own mills and secure their economic independence. Several of Thayer’s supporters fear that he is too optimistic in his advocacy, but he is undeterred.

Prospects for the settlers are aided by federal land grants offered in July 1854, after treaties are negotiated by the Bureau of Indian Affairs with tribes who agree to sell their land and move south into Oklahoma. The largest transfer involves the Shawnees, who sell 6.1 million acres on May 10, 1854. Others who also reach agreements include the Otoes and Missouri (March 15), the Delaware (May 6), the Iowa (May 17), and the Kickapoo (May 18).

The first contingent of “New England Emigrants” – twenty-nine strong -- arrives on August 1, 1854 in what will become Lawrence, Kansas -- named after Thayer’s supporter, Amos Lawrence.

The subsequent flow of settlers is, however, disappointing – with estimates running between 900 and 2,000 in total. As of the 1860 Census only 4% of Kansans have emigrated from New England.

Despite this, the symbolic impact of the early arrivals is important. Lawrence will become the center for the Free State forces over time, and its newspaper, the *Herald of Freedom*, will help rally their efforts. The Society will also play a role in starting up the towns of Manhattan, Osawatomie, Topeka, and Burlington.

Word of the anti-slavery easterner’s presence will soon provoke a response from pro-slavery rivals in Missouri.

As for Eli Thayer, the recognition he gains from his efforts in Kansas are rewarded in his election to the U.S. House in 1857-1861, running both times as a Republican.

Time: Summer 1854

Southern Associations Form Up To Promote Slavery

Once Northern opposition to the Kansas-Nebraska Bill gains traction, the South responds with various pro-slavery “associations” of its own.

One is the “Order of the Knights of the Golden Circle” comprising those who hope to open new slave territory in Mexico, Central America and Cuba, in addition to the American west. The Order is founded on July 4, 1854 in Lexington, Kentucky by “General” George W. Bickley and four of his friends. Bickley himself is a genuine character, born in Indiana before moving to Virginia, where he practices medicine despite dubious credentials, and then relocating to Cincinnati, promoting various filibustering campaigns which fail to materialize. He soon vanishes, but his society and its local “castles” or meeting lodges live on throughout the Civil War.

These associations are typically secret and mirror the kinds of practices and rituals familiar to the Freemasons. Their names vary by locale, from the “Golden Circle” to the “Friends of the South,” the “Social Band” and the “Dark Lantern Society.”

The Missouri branch is known as the “Platte County Self-Defense Association.”

It is founded on July 20, 1854 to insure that neighboring Kansas be admitted to the Union as a Slave State.

Its Secretary is Benjamin F. Stringfellow, raised among wealth in Virginia before moving west to Missouri in 1839, where he practices law and, along with his doctor brother, John, publishes the *Squatter Sovereign* newspaper. He is elected to the Missouri legislature as an “anti-Benton” man, serves as Attorney General from 1845 to 1849, and becomes a General in the Missouri State Militia.

In 1854 he fears that if Kansas becomes a Free State, run-away slaves will flock across the Missouri River to safety. His answer lies in setting up “Blue Lodges” across both states to combat the abolitionists.

Time: Summer 1854

Senator David Atchison Rallies Southern Forces Against Prospective Free Soil Settlers



Early Map Of The Kansas Territory Showing Towns Huddled Along the Missouri Border

Stringfellow’s partner in establishing the Blue Lodges is none other than David Rice Atchison of Missouri, sitting President Pro Tempore of the U.S. Senate!

Atchison grows up on a plantation near Lexington, Kentucky, before graduating from Transylvania University and moving to Liberty, Missouri in 1830. He opens a legal practice there with his friend and law partner, Alexander Doniphan, and both men join a state militia unit known as the Liberty Blues. Atchison is elected to the Missouri House in 1834, where he helps secure what becomes Platte County, in the northwest corner of the state, through purchase treaties with local Indian tribes.

When the Mormon War breaks out in 1838, Atchison is named Major-General in the state militia, which restores peace and protects the prophet, Joseph Smith, and his followers from further harm.

Both his law and political careers flourish. In 1841 he is a circuit court judge and a member of Masonic Lodge #56. Two years later, Governor Thomas Reynolds appoints him to the U.S. Senate after Dr. Lewis Lynn dies in office. While only thirty-six at the time, his new colleagues appreciate both his competence and outgoing manner, and, in 1845, elect him President Pro Tempore, a post which gives him the gavel should the Vice-President not be present in the chamber.

In 1854, Atchison is back in that role, made even more influential after Pierce's Vice-President, William King, dies in April 1853 and is not replaced. This puts Atchison next in line to become President should Pierce die in office.

But Atchison's agenda in the Senate is eclipsed in the summer of 1854 by absolute determination to see that Kansas enters the Union as a Slave State. As he writes at the time:

The prosperity or the ruin of the whole South rests on the Kansas struggle.

The notion of Northern interlopers trying to ban slavery directly west of Missouri is enough to resurrect the violent side of his character, not seen since his earlier days in the militia.

He vows in July 1854 that The Platte County Self-Defense Association will attack all Free Soilers in Kansas.

He christens his supporters the "border ruffians" and promises to "kill every god-damned abolitionist coming into the district."

Chapter 182 - Kansas Experiences Its First Fraudulent Election

Time: October 7, 1854

Andrew Reeder Becomes The First Governor Of The Kansas Territory

To hopefully quell the rising tensions over slavery in Kansas, Franklin Pierce appoints Andrew Reeder as the first Territorial Governor.

According to the 1787 Northwest Ordinance, his term is to last for three years during which time he must reside in the territory, oversee all governmental activities, appoint magistrates, and serve as commander-in-chief of the militia.

He is to be supported by a Secretary, charged with maintaining official records, three judges to man the territorial courts, and other administrative assistants as needed.

One of his most important duties is to establish a fairly elected territorial legislature, and to support the activities required to gain admission to the federal union. The guidelines for this are as follows:

- Once the population reaches 5,000 free male inhabitants, they would elect a territorial legislature.
- All representatives must have lived in the U.S. for at least three years and own 200+ acres of local land.
- Their term of office would run for two years.
- One representative would be elected for every 500 residents, up to a total of 25.
- As the population expanded over time, the legislature would decide on a new target above 25.

With the state legislature in place, it would choose a “non-voting representative” to send to the U.S. Congress.

When the total population reached 60,000 residents, the legislature would write a State Constitution, which would be sent to Washington for its approval to join the Union.

All this sounds straight-forward on paper, except that the 1787 Northwest Ordinance applies only to territories east of the Mississippi River and north of the Ohio River. Not to Kansas!

Under the 1854 Kansas-Nebraska Bill, the path to admission will rest on popular sovereignty, a vote by residents on a constitution which includes a Free State vs. Slave State declaration.

What Andrew Reeder is about to realize as Governor is that the exact steps associated with “pop-sov” are poorly defined, and that he will be responsible for clarifying and executing them as he goes along. In effect then, Kansas represents a “test case” for popular sovereignty in practice.

The stakes are particularly high, since the outcome will set a precedent for whether or not slavery is likely to expand in the west. As the settlers in Kansas struggle with this issue, the whole nation will soon be watching.

What they will witness over the next four years is an experiment in territorial governance that is forever known as “Bleeding Kansas.”

Time: October 7, 1854

Reeder Arrives In Kansas To Begin His Term

On the face of it, Governor Andrew Reeder seems like a safe choice for the job. He is a loyal Democrat from Pennsylvania and one, like Pierce, who is sympathetic toward the South, as well as a vigorous advocate of popular sovereignty. If the people of Kansas vote to declare it a Slave State, then Reeder will back their decision.

He is also an aggressive land speculator, having acquired some 1200 acres along the Kansas River at 90 cents apiece.

Reeder arrives by boat at Ft. Leavenworth on the Missouri River on October 7, 1854, accompanied by public officials who will oversee the orderly formation of the government. Among them are three Illinois men, Israel Donalson acting as U.S. Marshal, John Calhoun as Surveyor General, and Thomas Cramer as Treasurer. Legal affairs will rest with Chief Justice, Samuel Lecompte of Maryland and U.S Attorney Andrew Isacks of Louisiana. The position of Secretary belongs with Daniel Woodson, a Virginian by birth.

The party is greeted warmly by a reception at the fort, with Reeder offering a few remarks, including a reference to the mounting tension between pro and anti-slavery factions and a vow to put down any attempts to resolve it through violence. His words here will prove prophetic regarding his own fate:

I pledge you that I will crush it out or sacrifice myself in the effort.

Reeder’s ultimate charge lies in preparing Kansas to enter the Union as a new state.

Instead of beginning here with the election of a territorial legislature as outlined in the Northwest Ordinance, he decides to first elect someone to represent Kansas in the U.S. House, as a non-voting member.

To prepare for this, he tours the territory, divides it into some 30 counties, and arranges voting precincts within each. With that done, he sets November 29, 1854 as the election date.

Time: November 29, 1854

Atchison's "Missouri Ruffians" Steal A Kansas Election For A Congressional Seat



Border Ruffian Ready For A Fight

Among those intending to vote in the Kansas elections are the anti-slavery "New England Emigrants," currently few in number but rumored to grow to 20,000 in the near future.

This fires up U.S Senator David Atchison, Benjamin Stringfellow and members of the Platte County Self-Defensive Association who intend to do whatever it takes to make sure that the first Kansas representative to appear in the U.S. House is pro-slavery.

Three candidates vie for the congressional seat.

The first is thirty-six year old John Wilkins "J.W." Whitfield, who serves in the Mexican War before moving to Independence, Missouri as agent to the Pottawattamie tribe. Whitfield, who later becomes a General in the Confederate Army, is the stoutly pro-slavery candidate.

Then there is John Wakefield, the only actual resident of Kansas in the race, and an opponent of slavery, and Robert Flenneken, who is said to also favor Free State status.

As the election nears, Governor Reeder re-asserts the first principle of popular sovereignty – that qualified voters must all be current residents of Kansas.

But Atchison, Stringfellow and their pro-slavery Missouri allies pay no heed to his mandate. On November 29, 1854 they flood across the river into Kansas and stuff the ballot boxes in favor of their candidate, J.W. Whitfield, who wins with a 79% majority.

Rigged Vote For Kansas Congressional Representative (11/29/54)

Candidates	Slavery Call	# Votes	% Total
John W. Whitfield	Pro	2,258	79%
Robert Flenneken	Anti	305	11
John Wakefield	Anti	248	9
Others		22	1
Total		2,833	100

Reeder is aware of the invasion from Missouri, and a subsequent congressional inquiry will show that upwards of 60% of the votes are fraudulently cast. But after some hesitation he goes ahead and confirms the results, hoping to avoid controversy.

Thus the first attempt at delivering on the promise of popular sovereignty proves a charade, and it will soon be followed by a repeat performance when the time comes to elect a legislature.

Chapter 183 - A “Know Nothing” Party Is Formed To Oppose Catholic Immigrants

Time: 1840’s

European Immigrants Flood Into America

Amidst the growing turmoil over slavery in Kansas, President Pierce is now visited by the resurgence of another political party dedicated to attacking “Others” – in this case Catholic immigrants from Ireland and Germany, the majority of whom have become Democrats.

The numbers entering the U.S. suddenly double in the 1845-49 timeframe and then double again in 1850-1854. The Irish influx is in response to the “Potato Famine” which produces widespread starvation across the country over a seven year period. The other migrants comprise those fleeing from Germany, France, Italy and Austria after failed popular revolts against the entrenched monarchies.

Immigration Trends By Country

5 Years	Total	Irish	German	All Other
1820-4	74.8	11.7	1.9	25.1
1825-9	130.3	40.0	3.8	46.0
1830-4	326.5	54.1	39.3	137.1
1835-9	389.8	116.6	85.5	105.8
1840-4	481.2	181.7	100.5	117.8
1845-9	984.8	474.4	284.0	268.0
1850-4	1808.8	809.1	654.3	453.2

Time: 1844

A “Native American Party” Appears

In 1844 a Jewish-turned-Methodist preacher named Lewis Levin founds his Native American Party in Philadelphia. Its goal is to prevent a conspiracy he believes is under way to threaten the nation’s values and government. The purported villains here are the Catholics emigres whom he casts as the moral equivalent of the blacks – uneducated, impoverished, lazy by nature, prone to disruptive behaviors including criminality. Worse yet, he asserts they owe their loyalty to the papacy rather than the government in Washington.

Levin’s answer is to call upon U.S.-born, white, Anglo-Saxon, Protestant, loyal patriots to take back the country from these interlopers.

The result is a series of street clashes in Philadelphia reminiscent of the European violence between Protestant and Catholics, with churches left in flames and many fatalities on both sides.

While these are finally put down by military force, the seeds of ethnic and religious discord have taken root at both the local and national level.

Lewis Levin is able to turn his cause into the election of himself and five other Native American Party members to the U.S House in 1844. He carries his passion to Washington, haranguing the lower chamber with his vision of the threat posed by the immigrants:

We are menaced by the accession of eight millions of foreigners, not only entirely ignorant of our institutions, but ignorant of everything, uncultivated in mind, brutal in manners

But his voice is soon drowned out by the overriding focus on the Texas Annexation and the Mexican War. In turn, his overbearing personal manner finally drives even his early admirers away, and he loses his re-election bid. From there Levin spirals downward, occasionally delivering his fiery political attacks until suffering a mental collapse in 1856 and dying four years later in the Philadelphia Hospital for the Insane at fifty-one years old.

However, the anti-immigrant flame he has ignited will live on well after his time.

Time: 1849-53

The Native Americans Morph Into The “Know Nothing” Party

In 1849 another nativist party appears, the “Order of the Star-Spangled Banner,” formed in New York City by one Charles Allen to help elect American-born Protestants to public office. Its impact is trivial, but it survives long enough to attract interest from a dry goods merchant named James W. Barker, whose organizational skills have been honed within his own “Order of United Americans.”

At first, Barker’s group is more social than political in character, albeit dedicated to celebrating the “true American” stereotype, native born Protestants. The society is structured, ironically, along the lines of the heretofore “suspicious” Freemasons. Members are carefully screened; local lodges established to hold meetings; graduated “degrees” and titles earned by achievement and tenure; and a series of rituals – handshakes, passwords, other codes -- to distinguish its initiates.

Patriotism is an assumed virtue, and a favored slogan is George Washington’s famous wartime mandate: “put only Americans on guard tonight.”

Another is the rote response to all outsider questions about the Order’s practices – “I know nothing.”

The ongoing spike in Catholic immigrants entering New York City year after year transforms the organization from social advancement into the political arena. While officially designated The American Party by 1852, it is quickly labeled The Know-Nothing Party by Horace Greeley and his fellow New York newsmen.

Its initial foray into campaigning comes in the election of 1852 when a party convention nominates Daniel Webster, only to have him die nine days before the voting. But the victory recorded by Franklin Pierce – backed especially by the Irish Catholic immigrants – yields a surge in membership for the “Know Nothings.”

The first sign that the “Know Nothings” are to be taken seriously as a political power comes in Lewis Levin’s home base of Philadelphia. On June 13, 1854, Robert T. Conrad, a lawyer, judge, newspaperman and politician is elected Mayor of the city on the American Party ballot. One of Conrad’s early acts is to hire hundreds of new policemen, all “native born,” to clamp down on activities in the Irish Catholic neighborhoods.

The movement continues to gain momentum, with membership climbing over the one million mark during the year. Many of the early Lodges, known as “wigwams,” are located in large cities in the Northeast, but they soon materialize across all regions of the country, including the South and West coast.

Their presence is about to shake up the political landscape in the election of 1854.

Chapter 184 - The Democrats Suffer Major Losses In The 1854 Mid-Term Elections

Time: Fall of 1854

The Democrats Face Mounting Public Anger

The mid-term election of 1854-55 signals the end of the Whigs, the growing threat facing the Democrats, and the first glimpse of a third-party coalition capable of competing successfully on a national scale.

After Winfield Scott's lopsided loss to Pierce in the 1852 race, the old Whig party disbands, with its adherents scrambling to find a new home. Meanwhile the Democrats are left riding high, picking up thirty-two House seats that year, in addition to controlling the Senate and the White House.

Only the political calculus then comes unhinged, especially across the North, where growing public conviction is that the Democrats have forged two alarming alliances in order to stay in power.

The first is with the "Slave Power" in the South, the final straw being Douglas's May 1854 Kansas-Nebraska Bill reneging on the "sacred" Missouri Compromise.

The second is with the Roman Catholic immigrants, especially the Irish, who are successfully courted by the Democrats as the "party of the common man."

Those most troubled by these outcomes regard them as betrayals of basic American values going back to the founding fathers. In passing the Nebraska Bill, the Democrats prioritized the will of the Southern slave owners over the majority wishes of those in the North. In embracing the Catholic immigrants, it diminished the standing of the "true Americans" (i.e. Anglo-Saxon Protestants) and opened citizenship up to foreigners whose allegiance lies with the Roman Pope.

Retribution against these perceived betrayals rains down on the Democrats in the mid-term election.

Time: 1854-1855

The Know-Nothing Party Records its Greatest Victories



Henry Wilson (1812-1875)

Voting for the 34th Congress drags on from August 1854 all the way through November 1855, with a mind-boggling array of new party options appearing on the ballot, state by state. The contest comes down to traditional Democrats pitted against three main opponents -- the ex-Whig based “Opposition Party,” the “Anti-Nebraska Party” and the recently arriving anti-immigrant “Know Nothings.”

When the votes are all in, the first signs of a roller-coaster political realignment are evident.

For Franklin Pierce, the results realize his worst fears about a schism within his own party -- as the Democrats surrender seventy-five seats in the U.S. House. Their losses occur across the North, with the main defections coming from voters who opposed the 1854 Kansas-Nebraska Bill and believe the party has been co-opted by the “Slave Power.”

The biggest surprise in the results goes to the 51 seats taken by the Know-Nothings, signaling that many Americans are as opposed to the presence of Catholic immigrants as they are to the Africans.

Voting Trends For The US House

House	1848	1850	1852	1854
Democrats	113	130	158	83
Whigs	108	86	71	---
“Opposition Party	---	---	---	54
American/Know Nothing	1	0	0	51
Free Soil/Anti-Nebraska	9	4	4	37
Constitutional Union		10		
Other		3		9
Total		233	233	234

A careful state-level analysis is required to untangle the shifts occurring in the returns.

The vast majority of the Democrats losses occur in eight Northern states, which exhibit direct voter migration to the “Opposition Party,” consisting mainly of anti-slavery Whigs.

Democratic House Losses To The “Opposition Party” (1854)

States	Democrats Lose	“Opposition” Gains
New York	16	13
Ohio	12	12
Pennsylvania	9	8
Indiana	8	8
New Jersey	3	3
Michigan	3	2
Maine	2	2
Wisconsin	2	2
	55	50

Other more modest defections are evident in four other states, this time from Democrats to the Know-Nothings.

Democratic House Losses To The “Know Nothings” (1854)

States	Democrats Lose	Know Nothings Gain
Connecticut	4	4
New Hampshire	3	3
Rhode Island	2	2
Pennsylvania	1	1
	7	7

Support for the Know Nothings also appears in other geographical pockets, apparently sourced from Whig fall-outs more upset by immigration than slavery.

Whig Losses To The “Know Nothings” (1854)

States	Whigs Lose	Know Nothing Gain
Massachusetts	12	12
Kentucky	5	6
Tennessee	5	5
North Carolina	3	3
Delaware	1	1
	26	27

The most startling and abrupt Know-Nothing victory occurs in Massachusetts, where all twelve House seats go to the Nativists, along with the governorship, won for the first of three times by the ex-Whig, Henry Gardner. Conjecture has it that the anti-immigrant backlash in the state traces to it deeply Protestant Puritan roots and fear that the Irish will undercut laborers currently employed in factory jobs.

Several Slave states, most notably Kentucky and Tennessee, also swing into the Know Nothing column in the House, and other local races exhibit their sudden rise.

Robert Conrad's success in Philadelphia is matched by mayoral wins by Know Nothing candidates John Towers in Washington, DC, Levi Boone in Chicago and Stephen Webb in San Francisco. California elects J. Neeley Johnson as its Governor, and two soon-to-be powerful Republicans enter the 34th Congress wrapped cynically under the Nativist banner. One is the strident abolitionist, Henry Wilson, who wins a Senate seat in Massachusetts as a Know Nothing; the other, Schuyler Colfax, also anti-slavery, who enters the House.

In the end, the Know Nothing Party phenomenon will burn brightly in 1854 and then, much like the Anti-Masonic Party of 1828, be overtaken by the nation's more urgent sectional conflict over slavery.

Time: August 1854 To November 1855

The Outlines Of The Republican Party Coalition Are Evident In The 1854 Results

While Republicans per se do not run in the 1854 mid-terms, the outcome provides an early glimpse of the awkward triparty coalition that will make them a contending force by 1856.

First in the mix are those politicians who genuinely oppose slavery on moral grounds. These are mostly Northern remnants of the Whig Party, joined of course by the small band of outright Abolitionists.

Second are the Know-Nothings, seeking to protect "true native-born Americans" from the perceived threats of the Roman Catholic immigrants and the Pope in Rome.

Finally, and somewhat later, come the revived Free Soilers, renegade Northern Democrats, intent on preserving the new west for free white men and protecting the "dignity" of free white labor.

In the 1854 election, it is mainly the anti-slavery and anti-immigrant elements that steal House seats from the Democrats – with the majority of the winners combining anti-slavery and anti-immigrant (nativist) sentiments.

Positions Favored By House Winners In 1854

Regarded As:	# Members
Anti-slavery + nativist	92
Anti-slavery, but not nativist	23
Nativist, but not anti-slavery	29
All others	7
	151

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Despite the various shadings between the Anti-Slavery, Know-Nothing and Free Soil supporters, most share a common conviction – the notion that the land to the west should be cleansed of

foreign elements (e.g. Africans and Catholics) for the good of the nation, and for their own self-interests.

Over the next six years, this political coalition will expand and harden -- as the Democratic Party progressively appears to be caving into outsider demands, especially those of the Southern "Slave Power."

Chapter 185 - The “Ostend Manifesto” To Seize Cuba Embarrasses Pierce’s Administration

Time: 1854

Southern Pressure To Acquire Cuba Again Mounts



Pierre Soule (1801-1870)

From the moment Pierce is sworn in, he feels pressure from the southern wing of his party to satisfy their economic needs by expanding the borders for slavery.

The Kansas-Nebraska Bill opens this possibility within existing U.S. territory, but this is hardly a certainty. Hence the administration’s gaze turns to acquiring new land, with the island of Cuba once again front and center.

America’s fixation on the lucrative sugar plantations of Cuba traces back to Jefferson, who declares it “the most interesting addition which could ever be made to our system of States.”

By the 1840’s the island nation has become the world’s leading producer of sugar, supplying some 30% of total global demand. Polk’s \$100 million offer to buy it is rejected by Spain in 1848, and filibustering efforts of Narciso Lopez end with his public execution in 1851.

The drumbeats resume in February of 1854 after an over-eager Spanish harbor impounds the cargo on the *Black Warrior*, a ship making its traditional run between Cuba and New York City. This act is seized upon by Pierre Soule, the Louisiana man serving as Pierce’s Minister to Spain, to rattle retaliatory sabers in the halls of Congress.

In turn, Secretary of State William Marcy tasks his three key European ambassadors with proposing a plan to deal with Cuba and Spain. Soule is joined in this effort by James Buchanan, serving in the UK, and John Mason, stationed in France. They meet for three days in Ostend, Belgium, a coastal town fronting the Mediterranean in Flanders.

Their discussions lead to a dispatch sent from Aix-la-Chapelle to Washington on October 15, 1854 which becomes known as the “Ostend Manifesto.”

Time: October 15, 1854

The “Ostend Manifesto” Posits The Use Of Force To Seize The Island

The manifesto sent to Pierce begins by recommending the purchase of Cuba, for the good of Spain and the U.S.

Sir: The undersigned... have arrived at the conclusion, and are thoroughly convinced, that an immediate and earnest effort ought to be made by the government of the United States to purchase Cuba from Spain at any price for which it can be obtained, not exceeding the sum of \$ (unstated)...(This) transaction will prove equally honorable to both nations.

This is followed by various rationales, ranging from the self-serving to the downright cynical. The first argues that Cuba “belongs naturally” to America by dint of its geographical proximity:

Its geographical position...(makes) Cuba as necessary to the North American republic as any of its present members...it belongs naturally to that great family of states of which the Union is the providential nursery.

Next comes sheer hypocrisy, with Mason – who drafted the 1850 Fugitive Slave Act – being joined by Soule and Buchanan in decrying the on-going African slave trading present on the island:

As long as (the current) system endures, humanity may in vain demand the suppression of the African slave-trade in the island. This is rendered impossible whilst that infamous traffic remains an irresistible temptation and a source of immense profit to needy and avaricious officials, who...scruple not to trample the most sacred principles under foot.

Left alone, Cuba may become “exceedingly dangerous” – since a black insurrection there could encourage slave uprisings in America.

Considerations exist which render delay in the acquisition of the island exceedingly dangerous to the United States. The system of immigration...and the tyranny and oppression which characterize its immediate rulers, threaten an insurrection at every moment which may result in direful consequences to the American people.

Should another black leader like Toussaint Louverture arise, Spain would lose not only their island, but also the money America is willing to pay for it.

It is not improbable, therefore, that Cuba may be wrested from Spain by a successful revolution; and, in that event, she will lose both the island and the price we are willing now to pay for it-a price far beyond what was ever paid by one people to another for any province.

The three statesmen then ask what America should do if Spain refuses to sell.

After we shall have offered Spain a price for Cuba far beyond its present value, and this shall have been refused, it will then be time to consider the question; does Cuba, in the possession of Spain, seriously endanger our internal peace and the existence of our cherished Union?

Their answer, stated boldly, is to “wrest it from Spain” by force!

Should this question be answered in the affirmative, then, by every law, human and divine, we shall be justified in wresting it from Spain, if we possess the power; and this upon the very same principle that would justify an individual in tearing down the burning house of his neighbor if there were no other means of preventing the flames from destroying his own home.

To do any less, they say, would be to expose the white race to “horrors,” and “commit base treason...endangering the fair fabric of our Union.”

We should, however, be recreant to our duty, be unworthy of our gallant forefathers, and commit base treason against our posterity, should we permit Cuba to be Africanized and become a second St. Domingo, with all its attendant horrors to the white race, and suffer the flames to extend to our own neighboring shores, seriously endanger(ing)...the fair fabric of our Union. We fear that the course and current of events are rapidly tending toward such a catastrophe. We, however, hope for the best, though we ought certainly to be prepared for the worst.

On top of the threat posed by an “Africanized Cuba,” the recent “flagrant outrage” committed in Cuba by Spanish officials (i.e. the *Black Warrior* cargo seizure) “would justify a resort to measures of war in vindication of national honor.”

A long series of injuries to our people have been committed in Cuba by Spanish officials, and are unredressed. But recently a most flagrant outrage on the rights of American citizens and on the flag of the United States was perpetrated in the harbor of Havana under circumstances which, without immediate redress, would have justified a resort to measures of war in vindication of national honor. That outrage is not only unatoned, but the Spanish government has deliberately sanctioned the acts of its subordinates and assumed the responsibility attaching to them.

In the end, the only sensible course of action lies in “the cession of Cuba to the United States.”

This course cannot, with due regard to their own dignity as an independent nation, continue; and our recommendations, now submitted, are dictated by the firm belief that the cession of Cuba to the United States, with stipulations as beneficial to Spain as those suggested, is the only effective mode of settling all past differences, and of the securing

the two countries against future collisions. We have already witnessed the happy results for both countries which followed a similar arrangement in regard to Florida.

Time: March 3, 1855

Northerners In Congress Resist The Manifesto As Work Of The “Slave Power”



Horace Greeley (1811-1872)

The Ostend Manifesto lands on Pierce’s desk in November 1854 amidst the early Northern resistance to the Kansas-Nebraska Bill passed six months earlier, and initial warning signs that the Democrats might be in danger of experiencing sizable losses in upcoming elections.

The President fears that any hint of a U.S. plan to take Cuba by force will be judged as one more capitulation on his part to the whims of the “Slave Power.” His efforts to keep the dispatch secret include failing to mention it in his annual December address to Congress.

But the contents soon appear in public, with a near perfect reprise in the powerful *New York Herald*, run by its pro-Know Nothing publisher, James Gordon Bennett.

Contributing to the leaks is none other than Pierce’s own Spanish Ambassador, Pierre Soule, who openly touts the policy in search of garnering support.

Angry Northern Congressman demand disclosure of the full document, and this occurs on March 3, 1855.

The abolitionist editor of *The New York Tribune*, *Horace Greeley*, labels it the “Manifesto of Brigands,” the work of Southern planters and their lackey “doughface” Northern politicians to steal more land for slavery.

The criticism plays out from there. Foreign ministers in Madrid, Paris and London denounce the threat of force, and an embarrassed Pierce instructs Soule to end his negotiations, which leads to his immediate resignation.

The Ostend Manifesto will prove to be no more than an historical footnote, but at the time is amplifies the rift between the South and the North, including within the Democratic Party, and further erodes any possibility of a second term for Franklin Pierce.

Chapter 186 - Filibusterer William Walker Seizes The Nation of Nicaragua

Time: December 29, 1854

Walker Organizes Another Filibustering Expedition



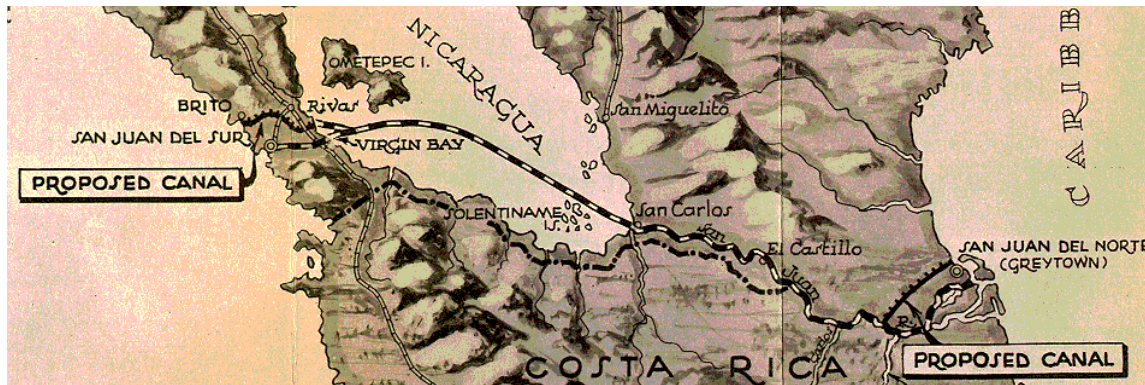
Map of Nicaragua Where Walker Executes His Filibuster

Some 2,800 miles south of Kansas events during the Fall of 1855 are playing out in the country of Nicaragua that further testify to Pierce's inaugural promise to avoid "timid forebodings" about geographical expansion.

The stars upon your banner have become nearly threefold their original number...(and) the policy of my Administration will not be controlled by any timid forebodings of evil from expansion. Indeed, it is not to be disguised that our attitude as a nation and our position on the globe render the acquisition of certain possessions not within our jurisdiction eminently important for our protection, (and) for the preservation of the rights of commerce and the peace of the world.

Once again it is the filibusterer William Walker who picks up the banner of "manifest destiny," despite his failed attempt to create the Republic of Lower California in May 1854. This time his target is the Central American nation of Nicaragua.

As with Mexico, the U.S. has long had its acquisitive eye on Nicaragua, given the potential to build a canal across its southern border connecting the Caribbean Sea to the Pacific Ocean, hence New York City to San Francisco. In 1849 the shipping tycoon Cornelius Vanderbilt finalizes a deal with the government whereby his "Accessory Transit Company" is given an exclusive "right of way" charter for the canal. While exploration begins, Vanderbilt creates a thriving overland-steamboat route between San Juan del Norte on the east coast and San Juan del Sur on the west.



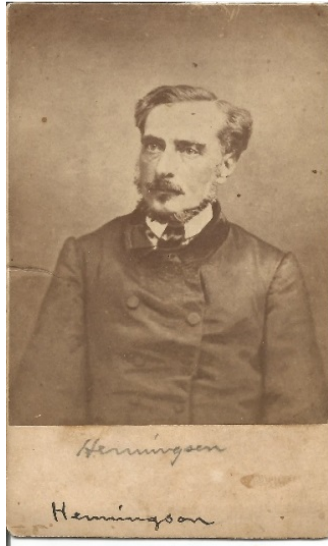
The country is small, with a population of only 260,000, dominated by those of mixed Indian-Spanish blood, along with a smattering of whites and blacks. Since winning its independence from Spain in 1824, it is plagued by civil wars pitting the “white ribbon” *Legitimists*, the aristocratic party based in Grenada, against the “red ribbon” Democrats, headquartered seventy miles west in Leon.

After suffering a string of defeats, the Democrats approach Byron Cole, an American journalist and friend of William Walker, with an offer to enlist up to 300 mercenaries to fight on their behalf, in exchange for military pay and subsequent land grants.

On December 29, 1854, Walker signs a contract with the Democrats. For the next four months he seeks, and gets, approval to proceed from U.S. commanding General John Wool, then goes about lining up funds (with help from Pierre Soule of “Ostend” fame), arms (aided by the financier, George Law), a transport ship, and initial recruits. Along the way he fights the fourth duel of his life, receiving a wound in the foot.

Time: October 13, 1855

Walker Invades And Wins A Strategic Victory At The City Of Grenada



Charles Henningsen (1815-1877)

To address some of the flaws in his failed Mexican venture, Walker signs on several experienced mercenaries, including Prussian cavalryman, Bruno Von Natzmer, and Charles Frederick Henningsen, a veteran of combat in Spain, Hungary and Russia. Henningsen will serve as Major General and chief artillerist in Walker's Nicaraguan army.

The lead contingent of sixty troopers depart from San Francisco on May 3, 1855, travel some 3500 miles by sea, and land on June 16 at the port of Realejo. They are joined by 110 local fighters and head to Leon, where Democrat President Francisco Castellon greets them, confers citizenship, and encourages immediate action. Another voyage takes them just north of San Juan del Sur, where Walker plants himself at the western end of Vanderbilt's "Transit Company" route, a strategic asset that will supply him with American volunteers over time.

His army is known as the Falanginos (Phalanx) and its first encounter with the *Legitimistas* occurs at noon on June 29, 1855 at the town of Rivas. As soon as shots are fired, Walker's local recruits flee, leaving him outnumbered ten to one. Still the American troops perform well before being forced to retreat, with losses of five killed and twelve wounded. Walker blisters Castellon for the cowardice of the Democrat troops and pauses to plan his next steps.

Castellon wants him to conquer the *Legitimista* capital at Grenada, but Walker prioritizes completing his seizure of the "Transit Company" route between San Juan del Sur and Virgen Bay. He marches east to the Bay, but is then attacked from behind by the enemy on September 2, 1855. With backs up against Lake Nicaragua, his troops win their first important victory at La Virgen, an outcome that boosts his future recruiting and his financial support, especially from Vanderbilt's firm.

This leads to Walker's greatest military triumph, a clandestine night voyage with some 250 men up Lake Nicaragua, followed by a successful attack on the *Legitimista's* undermanned garrison in Grenada. The date is October 13, and it marks the beginning of Walker's control over the country of Nicaragua.

On October 22, 1855, he executes the top *Legitimista* official in Grenada to establish his authority, then gathers the two warring factions together to form a coalition government. He chooses Patricio Rivas as puppet-president, with himself as de facto ruler, heading the Army.

Henceforth his press persona becomes that of "Colonel Walker, the grey-eyed man of destiny."

Time: December 8, 1855 to May 14, 1856

President Pierce Wavers On Walker's Filibuster

Franklin Pierce responds to Walker's activity in Nicaragua with typical equivocation.

After Walker takes Grenada in October, he issues a message condemning the action on December 8, 1855.

But Walker perseveres, sending a series of potential "Ambassadors" to Washington in search of official recognition for his government. The first is the notorious confidence man and gunslinger, Parker French, who is rebuffed in January and then again in February, 1856. Secretary of State William Marcy is particularly outspoken at the time, saying that neither French nor Walker represent the will of the Nicaraguan public.

Walker counters by claiming that his patriotic efforts to expand America's borders is being hampered by the rejection of his chosen minister. This increases the political heat on Pierce as does the glowing praise showered on Walker by former Democratic presidential nominee, Lewis Cass:

The difficulties which General Walker has encountered and overcome will place his name high on the roll of the distinguished men of his age. . . . Our countrymen will plant there the seeds of our institutions, and God grant that they may grow up into an abundant harvest of industry, enterprise, and prosperity. A new day, I hope, is opening upon the States of Central America.

Walker's next move tells of his own political acumen. He proposes none other than the Curate of Grenada, Father Augustin Vijil, as his designated envoy to Washington – and Pierce agrees to accept him on May 14, 1856.

The next day the President sends his rationale to Congress, saying that the best interests of the nation require him to recognize some government in Nicaragua, and Walker's Father Vijil is the only option he has.

After his reception, Ambassador Vijil is largely shunned in Washington, and resigns after two months, on June 23, to return to his church duties at home. But he has served Walker's purpose and forced Pierce to exhibit some official support for the regime.

Once again, the President's popularity suffers in response to this action. Southerners see his support for expansion into Nicaragua as lukewarm; Northerners and abolitionists see him eventually pandering to the "Slave Power;" Know-Nothings fear another source of Catholic immigrants arriving this time from Central America.

Chapter 187 - The Pro-Slavery Forces In Kansas Steal Another Election

Time: March 30, 1855

A Second Fraudulent Election Ends With A “Bogus Legislature” For Kansas



A Determined Looking Guy

In addition to the Ostend Manifesto debacle, President Pierce is also plagued by further events in the Kansas Territory during the spring and summer of 1855.

Word has already gotten out that the first test of popular sovereignty in the territory was a fiasco, with the Missouri Border Ruffians usurping the process to elect their pro-slavery candidate for the U.S. House. The fear among Pierce, Douglas and other Democrats is that ex-Senator David Atchison and his Platte County Self-Defense Association will repeat the fraud in the election of a territorial legislature, scheduled for March 30, 1854.

The group's two leaders – Atchison and Benjamin Stringfellow – have already started a campaign encourage Southerners to bring their slaves into Kansas as a precedent-setting tactic. The response, however, is tepid, and a census in January 1855 shows only 192 slaves present out of a total population of 8,000.

As the election date nears, their attention shifts to repeating the strategy which worked the first time – namely, importing residents of Missouri to stuff the ballot box in favor of pro-slavery candidates.

The Blue Lodge men issue *Stringfellow's Exposition*, claiming the legality of all citizens who show up, regardless of their residence. Between March 28 and 30 they run ferryboats across the Missouri River carrying some 800 voters per day. When the polls open, they show up en masse, often armed with Bowie knives, and identified by badges made from hemp, one of Missouri's leading cash crops.

Once again this form of intimidation pays off.

The Pro-Slavery ticket records 5,427 votes – some 90% of the total cast, and roughly 2500 more than are actually eligible to participate.

Even David Atchison, who resigns his seat in the U.S. Senate in December 1854, expresses some doubt about the means taken to deliver the end he demanded.

I did not vote...but I was on hand. I know that it was a matter of doubtful policy to go into the territory on the day of the vote, but...it was great encouragement to the boys (to) carry everything in the territory.

Time: April 6 – July 2, 1855

Reeder Negates The Election And Is Assaulted By Pro-Slavers

This time, however, Governor Reeder refuses to go along with the results. After interviewing various election judges, he decides on April 6, 1855 to throw out the ballots in six districts – a move that provokes threats to his personal safety among pro-slavery supporters.

Reeder is sufficiently upset by the fraud that he travels to Washington to inform Pierce of the problems in Kansas and to try to gain his agreement to hold a “do-over” election. On his way there, he stops in his old home town of Easton, Pennsylvania and delivers a speech which describes the violations of the Border Ruffians, and calls out both Stringfellow and Atchison by name.

After meeting with the President, Reeder returns to Kansas in June thinking he has approval to hold a second election, this time overseen by military force to insure compliance on voter residency.

The call for a second, fair election is also heard from Free-State men who assemble in an organized fashion in the town of Lawrence on June 8, 1855. They condemn what they call the “Bogus Legislature” and demand that Reeder shut it down before it begins to act.

This doesn’t happen, and on July 2 the Pro-Slavery legislators gather in the frontier town of Pawnee, some 100 miles west of the Missouri border, near Fort Riley. Banners wave, signaling their aims: “Kansas for the South, now and forever; Negro Slavery For Kansas; Hemp For Negro-Stealers; The South And Her Institutions.” They officially declare Kansas a Slave State, and pass a law stating that the publication or circulation of all anti-slavery material will be punishable by two years of hard labor. A local ditty recognizes this act of censorship:

If any Yankee in this territory shall circulate an Abolitionist note...brave Stringfellow or Atchison...may cut his accursed anti-slavery throat!

To further intimidate dissenters, shouted out voice votes are used to pass legislation, and all attempts by the minority to call for new elections are beaten down. In turn, the handful of anti-slavery representatives resign, saying that the current body is “derogatory to the respectability of popular government.”

Reeder responds by vetoing some of the acts, including their decision to move the capital from Pawnee to Shawnee Mission, nearer the Governor’s headquarters. He also begins to speak out against the bullying tactics of the Pro-Slavery supporters, which leads to a violent confrontation

at his office at the Shawnee Methodist Mission. On July 2, 1855 Stringfield and several of his backers burst in to ask Reeder if he is the source of disparaging comments about them appearing in the press. When Reeder says yes, Stringfield reportedly knocks him to the ground, kicks him, and attempts to draw a pistol before being restrained by rescuers, including U.S. Attorney Andrew Isacks.

After the attack Reeder writes to his wife saying that she may never see him again.

Time: July 4, 1855

Some Free State Proponents Rally Round Abolitionist Charles Robinson

Pressure on the Governor mounts on the 4th of July, 1855, when a large turnout of Free State advocates appear on the village green in their home base of Lawrence, Kansas, to declare their new “Declaration of Independence.” The principal spokesman at this event is Charles Robinson, who henceforth plays a key role in opposing the Missouri take-over.

Robinson is raised in Massachusetts by abolitionist parents and becomes a practicing physician before being bitten by the gold rush craze in 1849 and heading cross country to California to try his hand at mining. He also starts up a newspaper dedicated to protecting the land claims of the prospectors. One such dispute ends with Robinson shot in the chest and arrested for murder, after he kills his assailant with an iron bar. He is ultimately exonerated, enters politics, and serves in the California state legislature as an anti-slavery proponent.

In 1854 Robinson is back in Massachusetts as an agent for Eli Thayer’s New England Emigrant Aid Company. In this role he actually leads the first contingent of settlers to Kansas, arriving at Lawrence on August 1, 1854.

In his remarks to the crowd on the Fourth, he asserts that the actions of the Missouri ruffians have turned the true Kansans into “white slaves” by violating their rights to elect a government of their own choosing.

The doctrine of self-government is to be trampled under foot here...the question of negro slavery is to sink into insignificance, and the greater portentous issue is to loom up in its stead, whether or not we shall be the slaves, and fanatics who disgrace the honorable and chivalric men of the south shall be our masters to rule at their pleasure.

Robinson’s message resonates with his Lawrence audience, and they agree to convene a follow-up meeting on August 14 to work toward overturning the “bogus legislature.”

Time: August 24, 1855

Sidebar: Abraham Lincoln's Reactions To The Early Turmoil In Kansas

On August 24, 1855 Abraham Lincoln sends a letter to his closest lifelong friend, Joshua Speed, summarizing his current opinions about the events in Kansas. Speed is raised on a hemp plantation in Louisville, Kentucky, before moving to Springfield as a merchant, and then rooming with Lincoln as he begins his legal career. The letter itself follows the second fraudulent election in Kansas, with the Pro-Slavery forces in control of the legislature – and before any organized response from the Free Staters.

It expresses Lincoln's belief that Kansas will become a Slave State, while also announcing that he will oppose such an outcome and seek to restore the 1820 Missouri Compromise boundary line. But a loss in Kansas would be no reason, he says, to abandon the Union -- rather a signal to take greater care to protect its bonds.

Lincoln also gently chides Speed for opposing the tactics of the Border Ruffians and wishing for a Free State Kansas, while being unwilling as a Southerner to vote for anyone who would voice those positions in the political arena.

Dear Speed:

...You know I dislike slavery; and you fully admit the abstract wrong of it. So far there is no cause of difference. But you say that sooner than yield your legal right to the slave -- especially at the bidding of those who are not themselves interested, you would see the Union dissolved. I am not aware that any one is bidding you to yield that right; very certainly I am not. I leave that matter entirely to yourself.

I do oppose the extension of slavery, because my judgment and feelings so prompt me; and I am under no obligation to the contrary. If for this you and I must differ, differ we must. You say if you were President, you would send an army and hang the leaders of the Missouri outrages upon the Kansas elections; still, if Kansas fairly votes herself a slave state, she must be admitted, or the Union must be dissolved.

That Kansas will form a Slave Constitution, and, with it, will ask to be admitted into the Union, I take to be an already settled question.

In my humble sphere, I shall advocate the restoration of the Missouri Compromise, so long as Kansas remains a territory; and when, by all these foul means, it seeks to come into the Union as a Slave-state, I shall oppose it.

In my opposition to the admission of Kansas I shall have some company; but we may be beaten. If we are, I shall not, on that account, attempt to dissolve the Union. On the contrary, if we succeed, there will be enough of us to take care of the Union. I think it probable, however, we shall be beaten.

You say if Kansas fairly votes herself a free state, as a Christian you will rather rejoice at it. All decent slaveholders talk that way; and I do not doubt their candor. But they never vote that way.

Although in a private letter, or conversation, you will express your preference that Kansas shall be free, you would vote for no man for Congress who would say the same thing publicly. No such man could be elected from any district in a slave-state. You think Stringfellow & Co. ought to be hung; and yet, at the next presidential election you will vote for the exact type and representative of Stringfellow. The slave-breeders and slave-traders, are a small, odious and detested class, among you; and yet in politics, they dictate the course of all of you, and are as completely your masters, as you are the master of your own negroes.

Chapter 188 - Know Nothings And Catholics Battle On “Bloody Monday” In Louisville

Time: 1845 Forward

Resistance To Catholic Immigrants Increases

By 1850, the number of foreign born residents reaches 2.24 million or 9.7% of the total population – up from only 4.6% a decade earlier.

Most of the immigrants end up in major cities in the North, and often inland from the east coast. Milwaukee, Chicago, St. Louis and Cincinnati all have foreign born representation in the 50% plus range as of 1850.

Presence Of Foreign-Born Residents In Some U.S. Cities: 1850 Census (000)

	Native Born	Foreign Born	Total	% Foreign Born
Milwaukee	7.2	12.8	20.0	64%
Chicago	13.7	15.7	29.4	53
St. Louis	36.5	38.4	74.9	51
New Orleans	50.5	48.6	99.1	49
Cincinnati	60.6	54.5	115.1	47
New York	277.8	235.7	513.5	46
Albany	31.2	16.6	47.8	35
Boston	88.9	46.7	135.6	34
Louisville	25.1	12.5	37.6	33
Newark	26.6	12.3	38.9	32
Philadelphia	286.3	121.7	408.0	30
Providence	31.8	9.7	41.5	23
Baltimore	130.5	35.5	166.0	21
Charleston	17.8	4.6	22.4	20
Richmond	15.5	2.1	17.6	12
Washington	33.5	4.3	37.8	11

Most arrive with the usual set of challenges facing immigrants to a new land. They are typically impoverished, with only the possessions they can carry on their long ocean voyage, and many speak no English. But above and beyond those drawbacks, the vast majority have an additional stigma, their membership in the Roman Catholic Church.

It is one thing for many Americans to accommodate freedom of religion across a wide range of Protestant sects, but quite another to overlook three hundred years of old-world hostilities against the Church of Rome.



A Catholic Priest

In large part, this anti-Catholic heritage fuels the growth of the Know-Nothing Party and the kind of mob violence that flares up, beginning in 1844 in the Philadelphia riots.

In the summer of 1855, it again explodes in Louisville, Kentucky, pitting the nativists against the city's Catholic population, in this case, mainly Germans by birth.

Time: August 6, 1855

Election Day Violence Pits Nativists Against Catholic Immigrants

The Catholic Diocese of Louisville encompasses the entire state of Kentucky and is extensive in scope, with some fifty-six churches, eighty-six chapels and the clergymen required to support them.

Public antagonism toward the Catholics is endemic, but it intensifies when they lobby for controversial reforms, especially related to use of the King James Bible in public schools, oath taking, and other civic and governmental ceremonies.

Many opponents are also convinced that the Catholics are not loyal citizens, that their allegiance to the Pope outweighs their commitment to the United States. This idea is put forth by George Prentice, editor of the influential *Louisville Daily Journal*, who tells his readers in July 1855 that:

It is necessary for salvation that everyone be subject to the Roman Pontiff.



Charles Morehead (1802-1868)

The Know Nothing resistance springs into public view in Louisville around mid-year in 1854, with members sporting a metallic eagle insignia pinned to their left breast on their way to secret meetings.

In response to the rise of these Know Nothing lodges, a German version known as the “Sag Nichts” (say nothing) is formed. It rejects all forms of nativism and attempts to reduce the period required for naturalization.

The first signs of physical violence between the two camps appear when fistfights break out at polling places during city and county elections held in August, 1854. Some, however, attribute these to traditional politics, the old-line Louisville Whigs battling their Democratic foes, the party of the Catholics.

A year later, on Monday, August 6, 1855, the race for Governor of Kentucky matches the Know-Nothing candidate, plantation owner and ex-Whig, Charles Morehead, against the Democrat, Beverley Clarke.

Initial confrontations between Know Nothings and Sag Nichts bands materialize through-out the week leading up to the election. On the day of the polling, Prentice’s *Louisville Daily Journal* fires up nativist supporters in its editorial:

Fellow citizens: shall the shouts of triumph that echo through our streets tonight, be raised by American voices or shall they resound in the harsh tones of Germanv and Ireland?

The *Daily Democrat* volleys back with accusations that the nativists plan to steal the election through violence.

The dam bursts on “Bloody Monday” as the two sides go to war in the streets of Louisville.

Strong-arm methods at polling sites by Know-Nothings are countered by Catholics, and both sides are soon shooting at each other. Even a bolstered police force is unable to halt the battles. Houses are burned and shops are looted. Former Congressman William Thommason is beaten and Father Karl Boeswald is fatally injured by thrown stones. In all, hundreds are injured and the death toll ranges upwards from twenty-two on the day.

As in the Philadelphia riots, attempts are made to destroy Catholic churches. Fierce fighting occurs around St. Martin of Tours and the Cathedral of the Assumption before the Know-Nothing Mayor of Louisville, John Barbee, steps forth to quell the mobs.

A German diarist captures the ferocity of the day:

Reckless youths, who had been active in these things, spoke of their deeds in terms of levity that were shocking. They said that they did not know how many they had killed but that they had popped down every Irishman they saw. Half-grown boys, rendered perfectly devilish with ungoverned passion and whiskey, filled the streets with yells and violence. Christian men and women alike, becoming demons, urged on the young men. Most painful sights were witnessed. Poor women were fleeing with their children and little mementos of home that were brought from the Fatherland. The most painful of all sights was the stars and stripes waved at the head of the sacrilegious mobites.

Almost forgotten in the chaos is the election itself, which goes to the Know-Nothing, Moreland by a narrow statewide margin of 69,816 to 65,413. In Louisville, none of the rioters on either side are ever prosecuted.

Chapter 189 - Pierce Fires Governor Reeder And Anti-Black Racist James Henry Lane Joins The Free State Movement

Time: August 15, 1855

Pierce Bows To Criticism From The Pro-Slavery Forces

As the summer wears on complaints about Andrew Reeder's actions as Territorial Governor of Kansas descend on Pierce from Atchison and the Pro-Slavery legislature, meeting since August 8 in Lecompton, in defiance of orders to remain at Pawnee.

The President gives in to the pressure and demands that Reeder resign, effective August 15.

His stated rationale cites a conflict of interest related to Reeder's ownership of land at Pawnee – the charge being that, as Governor, he ordered that the capital be located there to make a profit on his speculative purchases. True or false, the appearance of a conflict is sufficient to back the dismissal.

Reeder's response proves surprising. Instead of fleeing from the territory in disgrace, he chooses to sign on with the "Free State Party" side, joins their first convention, and become a leader in their battle against the Pro-Slavers.

His replacement is ex-Ohio Governor, Wilson Shannon, another "doughface" politician, who has recently completed a term in the U.S House. Sworn in on September 7, 1855, he will be gone in eleven months, after failing to stifle the Free State movement.

Key Events In Kansas During Edward Reeder's Term As Governor

1854	Milestone
July 7	Pierce names Reeder as first Territorial Governor in Kansas
July 20	The Platte County Self-Defense Association founded by David Atchison
November 29	Border Ruffians fraudulently elect pro-slavery JW Whitworth to the U.S. House Reeder reluctantly confirms the voting results
1855	
March 30	A second fraudulent vote results in a "Bogus Legislature" of pro-slavery men
April 6	Reeder de-certifies illegal votes from six districts
June	Reeder travels to DC to seek Pierce's support for a fair do-over election
July 2	The Bogus Legislature convenes in Pawnee for their opening session Benjamin Stringfellow assaults Reeder for making unfavorable public remarks
August 4	Free-Staters meet in Lawrence to plot a resistance strategy
August 14-15	The Free State Party is founded in a convention at Big Springs Commitment made to write a constitution and submit for admission to Union

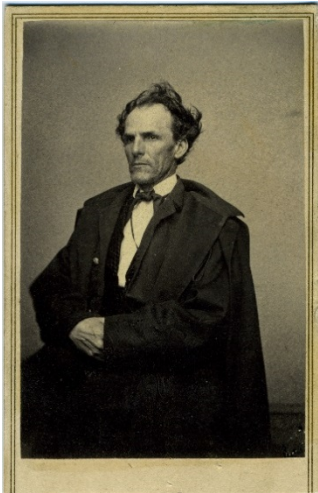
August 17	Reeder is fired and Daniel Woodson becomes Acting Governor
September	Free-Stater gather at Big Springs
September 7	Wilson Shannon begins his service as 2 nd Governor
October 1	Pro-Slavers re-elect JW Whitworth as Representative to the U.S. House
October 8	Free-Staters elect ex-Governor Reeder as their U.S. House representative

Time: September 7, 1855

The Free Staters Band Together At Big Springs

Back in Kansas, the rallying cry delivered by Charles Robinson on Independence Day leads to a gathering on August 14-15, 1855, in Lawrence aimed at consolidating all opponents of the “bogus” Pro-Slavery legislature. Agreement is reached to hold a convention in three weeks to elect their own state legislature and write a Free State Constitution.

Roughly one hundred delegates, along with other spectators, gather on September 5 at Big Springs, 15 miles west of Lawrence on the old California Trail. Charles Robinson is there, along with now ex-Governor Reeder, and a new voice in the mix, one James Henry Lane, an Indiana native who serves in the Mexican War and then in the U.S. House before coming to Kansas to establish a Democratic Party.



James Henry Lane (1814-1866)

Lane’s men arrive at the Big Springs Convention armed with Sharps Rifles and ready for combat. They fail to share Robinson’s moral opposition to slavery, and want to ban all blacks from crossing into Kansas. As one observer says:

Their hatred to slavery was not as strong as their hatred to Negroes.

Despite these sharp philosophical differences, a “Free State Party” is born at the convention. It is dedicated to forming a government chosen by residents of Kansas and not Missouri. Instead of merely opposing the Pro-Slavery legislature in place, it takes the bold step of electing its own legislature from those present, and then surprisingly chooses Andrew Reeder as it proposed representative to the U.S. House.

The ex-Governor’s closing remarks are ominous -- calling upon supporters to procure arms, train up volunteer companies, and prepare for a bloody resistance should peaceful remedies fail.

That we will endure and submit to these laws (the bogus laws) no longer than the best interests of the Territory required, as the least of two evils, and will resist them to a bloody issue as soon as we ascertain that peaceful remedies shall fail, and forcible

resistance shall furnish any reasonable prospect of success; and that in the meantime we recommend to our friends throughout the Territory the organization and discipline of volunteer companies, and the procurement and preparation of arms.

Henceforth Andrew Reeder becomes an active leader in the Free State movement.

Chapter 190 - The Topeka Constitution Calls For A Free State Excluding All Blacks

Time: October 23, 1855

The Free Staters Gather At Their Topeka Convention

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

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

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

Profile Of Topeka Delegates

Birthplace	#
Ohio Valley	21
South	12
New England	4
Age	
Under 30	9
30-39	16
40-49	7
50-59	4
60+	1
Occupation	
Farmers	15
Lawyers	11
Physicians	3
Merchants	3
Clergymen	2
Journalists	1
Indian Affairs Agent	1
Saddler	1
Party Affiliation	
Democrats	21
Whigs	10
Republicans	4
Independents	2

The two major figures at the convention are the abolitionist Charles Robinson and the anti-black racist, James Henry Lane. Robinson's July 4, 1855 speech rallied the anti-slavery forces to meet in August and form the Free State Party. Robinson is chosen to preside over the proceedings.

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

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

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

Time: December 15, 1855

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

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

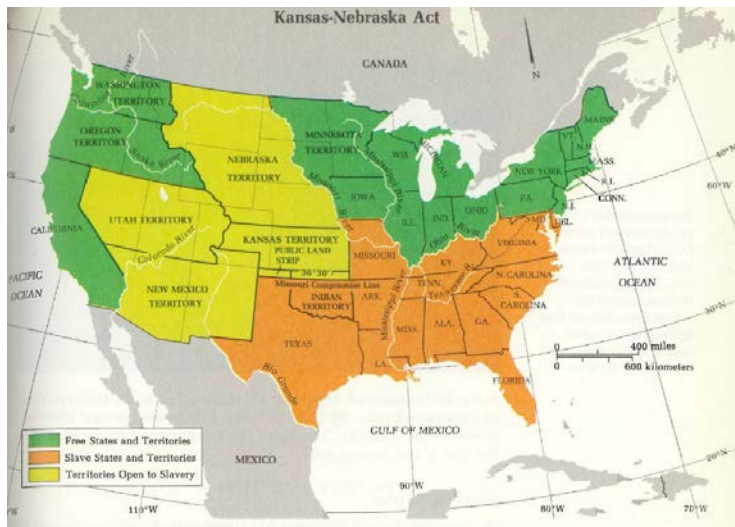
In many ways it is a microcosm of the conflicting views regarding slavery, and blacks in general, that prevails in the North and West.

On one hand there are the Jim Lane supporters who want to secure Kansas for white men by excluding all blacks from residing in its borders.

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

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

One contentious issue right away focuses on whether to support reinstatement of the 36°30' boundary line settled in the 1820 Missouri Compromise. Despite the fact that this would assure Kansas of Free State status, a motion is narrowly defeated by a 15-17 margin, a reflection of the number of loyal “pop sov” Democrats and Southerners who are present.



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

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

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

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

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

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

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

It is followed by twenty-seven separate Articles covering the gamut from a Bill of Rights to the structure and duties of the proposed branches of government, electoral procedures (with a six

month residency requirement), provisions for public institutions, taxing and finances, and so forth.

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

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

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

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

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

Chapter 191 - The “Wakarusa War” Presages Greater Violence To Come In Kansas

Time: Winter 1855

The Two Camps In Kansas Prepare For Open Warfare



Henry Ward Beecher (1813-1887)

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

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

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

Securing the armaments needed for potential combat is a priority for the Free State men, and they send James Abbott, an early New England Emigrant Aid Society transplant, back east to contact Eli Thayer for help. Ironically two abolitionist preachers, Henry Ward Beecher and Thomas

Higginson, respond with a shipment of 117 Sharp’s rifles, crated up in boxes, marked “Bibles,” and sent west – along with one 12 lb. howitzer, canister and fused shells.

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

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

Both sides are now prepared to win through violence.

Time: November 21, 1855

A Dispute Over A Land Claim Lights The Fuse

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

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

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

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

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

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

Time: December 8, 1855

The “Wakarusa War” Is Resolved By Cooler Heads



Map Showing Dow's Murder And The Siege Of Lawrence

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

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

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

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

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

To forestall more bloodshed, Shannon meets both sides between the evening of December 6 and December 8, to work out a peaceful settlement. Here he enjoys a moment of success when an agreement is signed by ex-Senator David Atchison, Charles Robinson and James Lane. Its content is relatively anodyne: in exchange for no longer harboring Jacob Branson from

prosecution (even though he has already left town), the government will lift the siege and not hold the citizens of Lawrence in contempt of the law.

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

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

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

Sidebar: John Brown Writes About The Wakarusa War

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

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

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

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

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

These reports seemed to be well authenticated, but we could get no further account of matters, and I left... for the place where the boys were settled at evening, intending to go to Lawrence to learn the facts the next day. (Then) word came that our help was immediately wanted. On getting this news, it was at once agreed to break up at John's camp, and take Wealthy and Johnny to Jason's camp (some two miles off), and that all the men but Henry, Jason and Oliver should at once set off for Lawrence under arms, those three being wholly unfit for duty.

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

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

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

After frequently calling on the leaders of the Free-state men to come and have an interview... Gov. Shannon ...signified his wish to come into the town, and an escort was sent to the invaders' camp to conduct him in. When there, the leading Free-state men, finding out his weakness, frailty and consciousness of the awkward circumstances into which he had really got himself, took advantage of his cowardice

and folly, and by means of that and the free use of whisky and some trickery succeeded in getting a written arrangement with him, much to their own liking.

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

He, Gov. Shannon, gave up all pretension of further attempt to enforce the enactments of the bogus Legislature and retired, subject to the derision and scoffs of the Free-state men (into whose hands he had committed the welfare and protection of Kansas), and to the pity of some and the curses of others of the invading force. So ended this last Kansas invasion, the Missourians returning with flying colors after incurring heavy expenses, suffering great exposure, hardships and privations, not having fought any battles, burned or destroyed any infant towns or Abolition presses, leaving the Free-state men organized and armed, and in full possession of the Territory, not having fulfilled any of all their dreadful threatenings, except to murder one unarmed man, and to commit some robberies and waste of property upon defenseless families unfortunately in their power.

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

*Your affectionate husband and father,
JOHN BROWN.*

Chapter 192 - Kansas Voters Ratify The Topeka Constitution Banning All Blacks From Residency

Time: December 15, 1855

Voting Confirms The Topeka Constitution And The Black Exclusion Clause



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

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

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

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

The Constitution is approved almost unanimously.

Topeka Constitution Voting

Kansans:	# Ballots
Approve	1,731
Disapprove	46

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

Ban Negroes and Mulattoes from settling within the state borders.

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

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

“Black Exclusion” Voting

Kansans:	# Ballots
Approve	1,287
Disapprove	453

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

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

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

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

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

Time: January 15, 1856

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

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

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

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

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

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

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

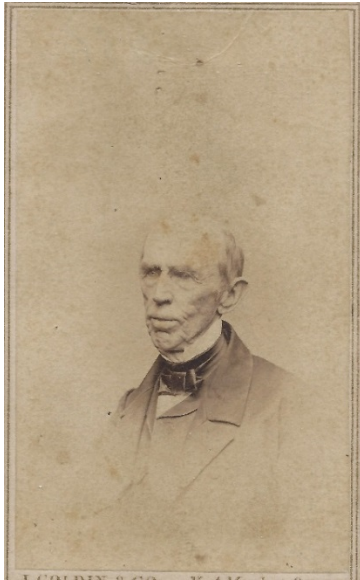
Finally, James Lane is also chosen to head to Washington to present the Topeka Constitution to Congress, and lobby for the immediate admission to the Union.

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

Chapter 193 - A Small Group Of Republicans Meet To Formulate Election Strategies

Time: December 25, 1855

A Disgruntled Francis Blair Sr. Hosts A Pivotal Dinner Event For The Republicans



Francis Preston Blair, Sr. (1791-1876)

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

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

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

A rotten organization composed and managed altogether by rotten men.

While Henry Seward declines Blair's dinner invitation, other key founders attend. Chase is there, eager to share lessons learned from his "Ohio campaign" and to win the Republican nomination.

So too are fellow abolitionist colleagues, Senator Charles Sumner and Gamaliel Bailey, editor of the *National Era* -- along with the Free Soiler, Preston King, and the rising House member, Nathaniel Banks, already gravitating toward a switch from the Know Nothings to the Republicans.

Time: December 25, 1855

Salmon Chase Articulates His "Fusion Strategy" For The Party

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

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

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

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

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

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

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

The dinner ends with several important agreements:

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

Time: 1856

Fred Douglass Criticizes The Republicans And Says Blacks Alone Will Earn Their Freedom

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

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

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

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

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

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

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

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

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

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

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

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

Chapter 194 - After 133 Ballots The New House Selects A “Know-Nothing” As Speaker

Time: December 3, 1855

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

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

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

U.S. House Make-Up: December 1856

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

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

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

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

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

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

Major Candidates For Speaker Of The House: 34th Congress

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

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

First Ballot Cast For Speaker: December 3, 1855

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

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

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

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

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

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

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

Time: February 2, 1856

Nathaniel Banks Is Finally Chosen By Plurality



Nathaniel Banks (1816-1894)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

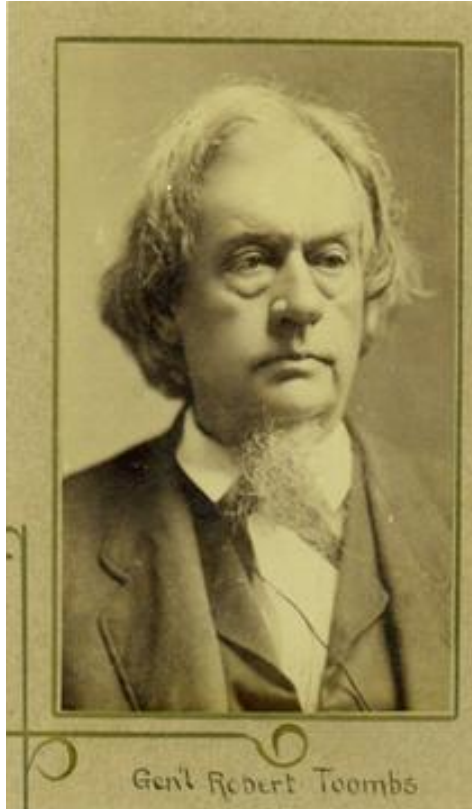
Top Vote Counts For Serious Speakership Contenders (1855-56)

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

Chapter 195 - Georgia's Robert Toombs Makes The "States Rights" Case For Slavery In Boston

Time: January 24, 1856

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



Robert Toombs (1810-1885)

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

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

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

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

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

In accepting Appleton's invitation, Toombs follows Texas Senator Sam Houston who has made his case *against* the continuation of slavery one year earlier at the Temple. So now it is Toombs

turn to offer a rebuttal, and he begins by summarizing the two points he hopes to demonstrate to the audience:

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

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

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

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

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

Time: January 24, 1856

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

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

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

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

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

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

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

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

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

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

The Enumerated Powers Of The Federal Government In Regard To Slavery

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

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

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

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

These Constitutional provisions were generally acquiesced in even by those who did not approve them, until a new and less obvious question arose out of the acquisition of territory....But in 1819, thirty years after the Constitution was adopted, upon application

of Missouri into the Union the extraordinary pretension was, for the first time, asserted by a majority of the non-slaveholding States, that Congress not only had the power to prohibit the extension of slavery into new territories of the Republic, but that it had the power to compel new States seeking admission into the Union to prohibit it in their own constitutions and mould their domestic policy in all respects to suit the opinions, whims, or caprices of the Federal Government... This novel and extraordinary pretension subjected the whole power of Congress over the territories ...a gigantic assumption of unlimited power in all cases whatsoever over the territories.

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

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

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

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

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

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

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

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

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

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

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

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

In this part of his Tremont Temple address, Toombs makes the strongest case possible for the "States Rights" defense on slavery. It harkens back to the 1787 Convention and the adoption of the Tenth Amendment. It says that according to the enumerated powers assigned the Federal Government in the Constitution, Congress has no legal authority to deny Southerners the right to bring their slave property into the common territories of the west. Period.

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

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

Time: January 24, 1856

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

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

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

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

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

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

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

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

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

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

Their condition in Hayti has now been tested for sixty years, and the results are before the world.... Revolutions, tumults, and disorders have been the ordinary pastime of the

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

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

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

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

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

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

The Southern States, acting upon the same admitted facts, treat them differently. They keep them in the same subordinate position in which they found them, protect them against themselves, and compel them to contribute to their own and the public welfare; and under this system, we appeal to facts, open to all men, to prove that the African race has attained

a higher degree of comfort and happiness than his race has ever before attained in any other age or country.

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

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

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

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

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

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

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

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

more domestic ties within the last ten years than African slavery has effected since its introduction into the United States.

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

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

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

Time: January 24, 1856

With Its Slavery The Southern States Lead The World In Prosperity

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

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

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

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

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

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

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

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

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

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

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

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

Time: January 24, 1856

Toombs Stands As A Weathervane For Southern Moderates

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

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

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

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

Chapter 196 - Pierce Delivers His Message On “The Disturbances In Kansas”

Time: 1855 Forward

The Kansas Crisis Continues To Play Out

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

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

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

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

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

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

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

The Tangled Events In The Kansas Territory: 1854-56

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

Time: January 24, 1856

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



The White House

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

the rights of self-government assured to them by the Constitution and the organic act of Congress.

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

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

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

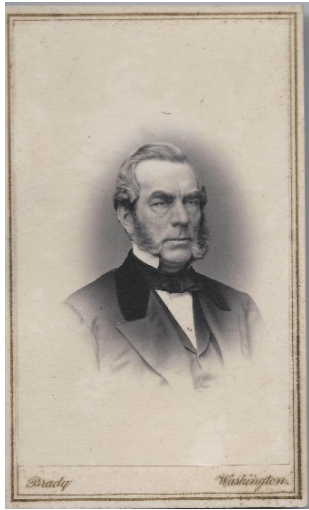
This, it seems to me, can best be accomplished by providing that when the inhabitants of Kansas may desire it and shall be of sufficient number to constitute a State, a convention of delegates, duly elected by the qualified voters, shall assemble to frame a constitution, and thus to prepare through regular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

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

Chapter 197 - The Republican Hold Their Formal “Organizing Meeting” In Pittsburgh

Time: February 22, 1856

The Founders Gather At Lafayette Hall



Edwin D. Morgan (1811-1883)

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

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

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

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

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

Time: February 22-23, 1856

The Need For “Fusion” Dictates The Platform

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

With guidance from Greeley, “caution” becomes the watchword of the speeches and platform work from start to finish – a necessity, he argues, if “fusion” is to take hold across those who arrive as Republicans or Know-Nothings or disgruntled Democrats.

The result is a fairly tame charter calling for repeal of the Kansas-Nebraska Act, immediate admission of Kansas as a Free State and a pledge to “resist, by every Constitutional means, the existence of slavery in in any of the territories of the United States.” It takes no stand whatsoever on the role of “nativism.”

Not everyone is happy with this outcome.

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

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

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

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

Regardless of these reservations, the “meeting” achieves its stated objectives.

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

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

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

Chapter 198 - Disagreement Over “Party Goals” Divides The Know Nothings

Time: February 22-25, 1856

Conflicts Arise Over The Party’s Main Reason For Being

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

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

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

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

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

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

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

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

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

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

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

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

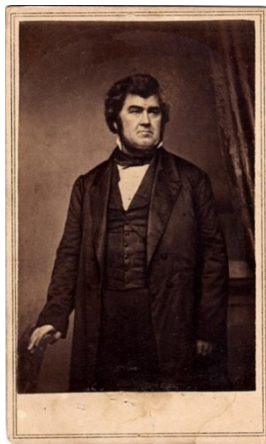
When the ballots are counted, the Ohio slavery proposal goes down to defeat – followed by a motion offered up to oust the State’s original representatives from the hall.

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

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

Time: February 22-25, 1856

The Depleted Know-Nothings Select Millard Fillmore As Their Nominee



George Law (1806-1881)

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

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

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

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

- *Our Country, our whole Country, and nothing but our Country.*
American Constitutions & American sentiments
The doctrines of the revered Washington
American Laws, and American legislation
- *None but Americans for office.*
- *A pure American Common School system.*
Opposition to the formation of Military Companies, composed of Foreigners
- *The amplest protection to Protestant Interests.*
The advocacy of a sound, healthy and safe Nationality

Formation of societies to protect American interests

- *War to the hilt, on political Romanism.*
Hostility to all Papal influences, when brought to bear against the Republic
Eternal enmity to all those who attempt to carry out the principles of a foreign Church or State
Death to all foreign influences, whether in high places or low!
- *More stringent & effective Emigration Laws.*
The sending back of all foreign paupers
Repeal of all Naturalization Laws

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

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

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

Election Of Know-Nothing Presidential Nominee (1856)

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

Fillmore is fifty-six years old when nominated, and has retired to his home base in Buffalo after he loses the Whig nomination for president to Winfield Scott in 1852. His only substantive linkage to the Know Nothing cause in 1856 is a casual observation about the "corrupting influence" of foreigners in American elections.

The Vice-Presidential slot goes to Andrew Jackson Donelson, adopted son of the former President, and a leading figure in Tennessee politics.

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

Sidebar: Abraham Lincoln's Views On The Know Nothings

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

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

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

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

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

Chapter 199 - Douglas And Seward Debate The “Crisis In Kansas”

Time: March 12, 1856

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



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

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

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

In his report, Douglas lectures his colleagues on the proper procedures for governing new territories and applying for statehood. He says that the trouble in Kansas began when the New England Emigrant Society decided to send settlers in to

The Crisis In Kansas Continues Unabated

agitate for abolition. When resistance materialized, these same easterners shipped in

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

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

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

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

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

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

Time: March 20, 1856

Senator Douglas Tries To Bully His Opponents Into Submission

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

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

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

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

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

His views on "the negro" involve no such posturing:

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

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

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

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

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

Time: April 7, 1856

Questions About The Free State Submission Arise

The Democrats also attempt to derail the Free Stater’s bill for admission focuses on a technicality.

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

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

At first Douglas supports the “printing,” but soon calls the document a forgery and accuses Lane of altering it after its passage to suit his own purposes.

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

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

Time: April 9, 1856

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

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

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

Seward's career is managed all along by the journalist and strategist, Thurlow Weed, and both are currently drawn to the possibility that he might head the Republican Party ticket in 1856. While he rejects the nativist strain within the party, Seward is firmly opposed to slavery. His reputation here follows from the famous lines of his March 11, 1850 address in the upper chamber: "there is higher law than the Constitution" – handed down by "the Creator of the universe" – that "so great an evil" must not be allowed to take hold in the west.

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

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

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

He accuses Pierce of being an "accessory" to this "usurpation."

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

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

The President distorts the Constitution from its simple text, so as to make it expressly and directly defend, protect, and guaranty African Slavery...(and) to effect the abrogation of

the prohibition of Slavery in Kansas, contained in the act of Congress of 1820. It thus appears that the President of the United States holds the people of Kansas prostrate and enslaved at his feet.

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

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

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

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

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

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

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

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

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

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

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

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

Sidebar: Henry Seward And Stephen Douglas As Political Orators

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

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

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

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

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

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

Chapter 200 - The Nation Is Shocked By A Brutal Assault In The Senate On Charles Sumner

Time: 1811-1856

Charles Sumner: Personal Profile



Charles Sumner (1811-1874)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Time: May 19-20, 1856

Charles Sumner Delivers His "Crime Against Kansas" Speech

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

But the conspiracy was unexpectedly balked. The debate, which convulsed Congress, had stirred the whole country. The populous North, stung by a sharp sense of outrage, and inspired by a noble cause, poured into the debatable land, and promised soon to establish a supremacy of numbers there, involving, of course, a just supremacy of freedom.

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

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

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

Here is complete admission of the Usurpation, by the Intelligencer, a leading paper of St. Louis, Missouri, made in the ensuing summer: "Atchison and Stringfellow, with their Missouri followers, overwhelmed the settlers in Kansas, browbeat and bullied them, and

took the Government from their hands.” Sir, all this was done in the name of Popular Sovereignty.

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

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

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

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

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

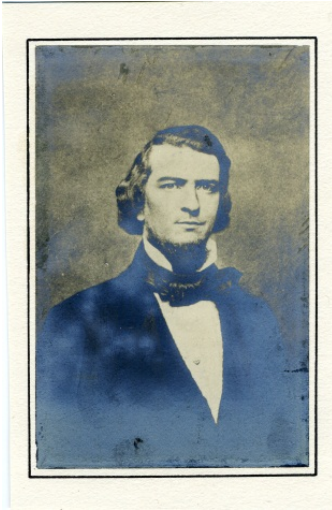
In offering herself for admission into the Union as a FREE STATE, she presents a single issue for the people to decide.

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

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

Time: May 22, 1856:

Congressman Preston Brooks Canes Sumner On The Senate Floor



Preston Brooks (1819-1857)

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

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

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

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

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

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

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

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

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

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

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

Date: May – June 1856

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



William Cullen Bryant (1794-1878)

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

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

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

Ralph Waldo Emerson writes:

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

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

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

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

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

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

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

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

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

Sidebar: Conflict Over The Extent Of Sumner's Injuries

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

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

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

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

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

His doctor concludes:

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

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

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